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DEPARTMENT OF COMMERCE AND LABOR

BUREAU OF IMMIGRATION

IMMIGRATION

LAWS AND REGULATIONS

AUGUST, 1903

WASHINGTON
GOVERNMENT PRINTING OFFICE
1903

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DEPARTMENT OF COMMERCE AND LABOR

BUREAU OF IMMIGRATION

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BUREAU OF IMMIGRATION

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IMMIGRATION REGULATIONS.

DEPARTMENT OF COMMERCE AND LABOR,
BUREAU OF IMMIGRATION,
Washington, D. C., August 26, 1903.

RULE 1. Collectors of customs shall collect, as provided in section 1 of the act approved March 3, 1903, a duty of $2 for each and every passenger, not a citizen of the United States, or of Canada, or of Cuba, or of Mexico, who shall come by steam or sail vessel from any foreign port to any port within the United States; but no duty shall be paid for such passengers proceeding in continuous transit through the United States to foreign territory, nor for those who have once been admitted to the United States and have paid the head tax who shall later go in transit from one part of the United States to another through foreign contiguous territory.

RULE 2. Under the authority contained in the proviso to section 1 of the act approved March 3, 1903, the duty of $2 levied upon railways or other transportation agencies for passengers brought by them overland from foreign contiguous territory shall be collected, until otherwise provided, in accordance with the terms of an agreement between the Commissioner-General of Immigration and certain transportation companies of the Dominion of Canada, of date November 1, 1901.

RULE 3. All such moneys so collected, as well as all moneys collected for rentals of exclusive privileges at United States immigrant stations, shall be deposited to the credit of the Treasurer of the United States on account of "immigrant fund," with an assistant treasurer of the United States, or national-bank depositary, in the same manner as other miscellaneous collections are reported. Separate accounts of the receipts and expenditures of money under the act shall be rendered monthly to the Secretary of the Treasury through the Department of

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Commerce and Labor, on forms to be furnished by the Government for the purpose.

RULE 4. Every railway company or other transportation agency claiming exemption from payment of the head tax for any passenger brought by it to a point on the land boundary of the United States for entry thereat, under the exemption from such payment provided in section 1 of the act approved March 3, 1903, shall produce to the appropriate officer at such point a letter from an immigration officer at, or nearest to, the alleged residence of such passenger, stating that after investigation said immigration officer has ascertained that said passenger had already been lawfully admitted to the United States and that the head tax for his admission had been paid at the time of such admission, and said company or other transportation agency shall also show, as evidence that the transit of such passenger was continuous, the dated ticket issued to such passenger.

RULE 5. The head tax provided for in section 1 of the act approved March 3, 1903, shall be collected and paid for every alien passenger not specifically excepted therein.

RULE 6. The provisions of the immigration laws, and of regulations passed thereunder, except those of section 1 of the act of March 3, 1903, in relation to the payment of the head tax, extend to all persons not citizens of the United States either by birth or by naturalization therein.

RULE 7. Every alien arriving at a port of the United States shall be promptly examined, as by law provided, either on shipboard or at some other place designated for that purpose. If found admissible, he shall be at once landed, but if upon special inquiry he is denied admission, he shall be informed that he has a right of appeal therefrom, and the fact that he has been so informed shall be entered of record in the minutes of the board's proceedings, but no appeal will be considered after any such alien has, in consequence of an adverse decision of a board of special inquiry, been transferred from an immigrant station to be deported.

RULE 8. Every alien detained for special inquiry, which shall be conducted separate and apart from the public, shall have a speedy hearing and, upon the conclusion thereof, be either at once landed or ordered deported. If he elects to appeal from said order of deportation, he must, to enable officers to comply with the provisions of section 19 of the act of March 3, 1903, file notice of such appeal promptly, and a like right of appeal may be exercised by any member of a board of special inquiry who dissents from the decision rendered by such board.

RULE 9. Every such notice of appeal shall act as a stay upon the disposal of the alien whose rights are thereby affected until a final

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decision is rendered by the Department; and, within thirty-six hours after the filing of such notice, the record of the case, together with such briefs, affidavits, and statements as are to be considered in connection therewith, should be forwarded to the Commissioner-General of Immigration by the chief immigration officer at the port of arrival, accompanied by his views thereon in writing; but on such appeal of any case to the Department no evidence will be considered which has not already been passed upon in said case by a board of special inquiry. If additional time is granted to the friends or counsel of an appealing alien to prevent a miscarriage of justice, the said chief officer may require the deposit of a sum of money sufficient to defray the cost of maintaining appellant during the additional time thus allowed.

RULE 10. The commissioner of immigration or the chief immigration officer at the port of landing shall enter of record the name of every alien found upon examination to be within any of the prohibited classes, with a statement of the decision in each case; and if such decision be appealed from, immediately upon the receipt from the Department of its conclusions thereupon the alien shall be at once landed or deported in accordance with such conclusion. If a landing is refused on appeal, the master, agent, consignee, or owner of the vessel by which the said alien arrived shall be notified thereof by the commissioner or chief immigration officer, and that the said alien will be placed on the said vessel to be returned as aforesaid.

RULE 11. Attorneys and persons appearing in behalf of detained aliens shall not be permitted to charge a sum exceeding ten dollars ($10) in each case, unless the commissioner shall, in writing, allow an additional compensation, which fee shall be payable through the commissioner. Anyone charging an alien a fee prior to his detention, or charging or receiving from an alien or his relatives or friends a fee, gift, or compensation for his services in excess of above rates, or who shall deprive an alien of any part of his chattels or effects in lieu of, or as security for, said fee, shall not be permitted to practice at any immigrant station of the United States.

RULE 12. The expenses incurred for the keeping and maintenance of every alien temporarily removed from a vessel, as provided by law, shall be borne by the owner or owners of the vessel upon which he came until he is lawfully landed or delivered on board such vessel for deportation.

RULE 13. The master, agent, owner, or consignee of any vessel on which aliens are brought to the United States shall, at least twenty-four hours in advance thereof, notify the commissioner of immigration of the intended time of sailing of such vessel, in order that said officer may place on board thereof every alien brought thereon who has been refused a landing.

RULE 14. Every alien professing to seek a landing for the purpose

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of proceeding directly through the United States to a foreign country shall be examined, and, if found to be a member of any one of the excluded classes, shall be refused permission to land in the same manner as though he intended to remain in the United States.

RULE 15. No alien desiring admission at a port of the United States for the professed purpose of proceeding directly therefrom to foreign territory shall be permitted to land thereat except after deposit with the collector of customs at said port by the master or owner of the vessel on which such alien is brought of the amount of the head tax ($2) prescribed by section 1 of the act approved March 3, 1903, said amount to be refunded upon proof satisfactory to the immigration officer in charge at the port of arrival that said alien has passed by direct and continuous journey through and out of the United States.

RULE 16. Every alien who left the port of embarkation in good physical condition, and who would be qualified to land but for some sickness or disability other than a loathsome or a dangerous contagious disease, which was contracted or which developed during the voyage, may either remain on shipboard or be removed for hospital treatment at the expense of the owners of the vessel on which he came, and while detained in hospital he shall not be considered as landed, provided that if the sickness or disability with which such alien is afflicted is so slight, in the judgment of the examining medical officer, as not to require treatment in hospital, and said alien is able to pay for the necessary medical care he needs, he shall be landed. Requests by such owners for reimbursement for hospital expenses may be made only in respect of aliens detained under the provisions of this rule, and then only in a proper manner.

RULE 17. Any alien who has been lawfully landed, but who has become a public charge from subsequently arising physical inability to earn a living which is likely to be of a permanent nature, may, with the approval of the Bureau of Immigration, be deported within one year from date of landing, at the expense of the immigrant fund, provided that such alien is delivered to the immigration officers at a designated port free of charge; and the charges incurred for the care and treatment of any such alien in any public or charitable institution from the date of notification to the Bureau of Immigration until the expiration of one year after landing may be paid from the immigrant fund at fixed rates agreed upon.

RULE 18. Any alien who has been finally determined to be admissible may be permitted to wait for friends or remittances upon payment by him of expenses incurred by reason of such delay. In case such an alien is unable, from accident or other unavoidable circumstances, to immediately continue his journey, and is without sufficient means to defray the expense of his enforced delay, the commissioner of immigration may, in his discretion, pay said expense, reporting

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said case to the Bureau of Immigration with reasons for his action, and request that such expense be repaid out of the immigrant fund.

RULE 19. Not over one accompanying alien (preferably the natural guardian or a relative) shall be detained at the expense of the transportation company for the purpose of caring for an alien who, for any reason, is detained for further inquiry, if the latter requires such care. (See sec. 11, act approved March 3, 1903.)

RULE 20. No application for the admission under bond of a debarred alien will be considered except in cases in which deportation of the alien in whose behalf such application is made would involve the separation of immediate members of a family, and in that case only when a deposit of money is made sufficient to defray the expense of maintaining such alien whilst awaiting a decision upon such application.

RULE 21. The cost of returning aliens under the provisions of sections 19 and 20 of the act approved March 3, 1903, shall include all expenses incurred for maintenance of such aliens after such cases are brought to the attention of the Bureau of Immigration, provided said Bureau, upon investigation, has ascertained the case to be one for deportation and has so ordered.

RULE 22. Every immigration officer deporting any alien under the provisions of section 20 of the act of March 3, 1903, shall submit to the Bureau of Immigration for approval bills for one-half the cost of inland transportation of such alien to the seaport of deportation against the vessel or transportation line by which such alien was brought to the United States, in order that the amount so expended by any such officer may be collected and returned to him.

RULE 23. In case of the failure of the master or commanding officer of any vessel bringing aliens to any port within the United States to deliver to the immigration officers at said port lists or manifests of such aliens, as required in sections 12, 13, and 14 of the act approved March 3, 1903, there shall be paid to the collector of customs at the port of arrival the sum of $10 for each alien concerning whom the information required by such sections is not contained in any list or manifest as aforesaid. Under an opinion of the Solicitor of the Treasury, the fine mentioned in this rule can not be remitted.

RULE 24. The certificate required by section 8 of the act approved March 3, 1893, shall be filed with the Secretary of Commerce and Labor upon the first days of January and July of each year.

RULE 25. No charge for food, lodging, or maintenance, or for hospital attendance, medicines, or other hospital expenses shall be made in excess of the actual cost of furnishing the same, the intention being to make the Service self-sustaining without profit.

RULE 26. Every officer of the United States Public Health and Marine-Hospital Service detailed under section 17 of the act approved March 3, 1903, for duty to any point in the United States shall, during

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the continuance of such detail, be under the direction (subject to the Public Health and Marine-Hospital Service regulations governing the medical inspection of aliens, as approved by the Secretary of the Treasury November 18, 1902) of the immigration officer in charge of the said port.

RULE 27. There shall be made by the commissioners of immigration at the various ports of the United States and Canada weekly reports to the Bureau of Immigration containing a list of all aliens detained from Sunday morning until Saturday night, inclusive, of each week, in which shall be embodied the following information: Name of alien; age and sex; date of arrival; vessel on which alien arrived; date of detention; cause of detention; whether case has been disposed of, and if so, what disposition has been made of it.

RULE 28. Officers employed in the administration of the immigration and Chinese-exclusion laws are notified that all communications to the Department upon official matters must be addressed to the Commissioner-General of Immigration or to the Secretary of Commerce and Labor.

F. P. SARGENT,
Commissioner-General of Immigration.

Approved:
GEO. B. CORTELYOU,
Secretary of Commerce and Labor.

EXAMINATION OF ALIEN SEAMEN UNDER THE PROVISIONS OF THE LAWS REGULATING IMMIGRATION.

1903.
DEPARTMENT CIRCULAR No. 10,
BUREAU OF IMMIGRATION.

DEPARTMENT OF COMMERCE AND LABOR,
OFFICE OF THE SECRETARY,
Washington, August 1, 1903.

To commissioners of immigration and other officers charged with the administration of the various laws pertaining to the immigration of aliens:

In view of the opinion of the Attorney-General of the United States, of date September 10, 1901 (23 Op., 521), you are hereby instructed that it is your duty to make such an investigation of every vessel arriving at a port of the United States from any other than a mainland or continental port thereof, as will enable you to ascertain the members of their respective crews who are aliens, as well as the intention of such alien members in seeking a landing.

(1) Alien seamen who seek to land, in the regular course of their pursuit, with the bona fide intention of departing as soon as practicable upon some outward-bound vessel, are not to be held for examination touching their right to land under the various acts regulating immi-

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gration into the United States, nor shall the masters of the vessels upon which they come to a port of the United States be charged on their account with the head tax prescribed by section 1 of the act approved March 3, 1903.

(2) Alien seamen who are discharged, or are to be discharged, or who have deserted their vessel at a port of the United States with any other object in view than departing as described in the next preceding paragraph (1) are in no respect to be distinguished on account of their prior calling or occupation as seamen from other aliens seeking admission to this country, either as regards collection of head tax on their account or as respects the examination and determination of their right to remain under the various acts regulating immigration.

(3) All other aliens signed on the ship's articles of any vessel arriving at a port of the United States shall be examined, and in all respects regarded, as alien passengers, on account of whom the head tax should be collected and who should be admitted, or ordered returned to the countries whence they came, in accordance with the laws and regulations governing immigration.

GEO. B. CORTELYOU, *Secretary.*

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VARIOUS ACTS OF CONGRESS RELATING TO IMMIGRATION.

Sections 3 and 5 of an act supplementary to the acts in relation to immigration, approved March 3, 1875, vol. 18, part 3, United States Statutes at Large, provide:

"SEC. 3. That the importation into the United States of women for the purpose of prostitution is hereby forbidden; and all contracts and agreements in relation thereto, made in advance or in pursuance of such illegal importation and purposes, are hereby declared void; and whoever shall knowingly and willfully import, or cause any importation of, women into the United States for the purposes of prostitution, or shall knowingly or willfully hold, or attempt to hold, any women to such purposes, in pursuance of such illegal importation and contract or agreement, shall be deemed guilty of a felony, and, on conviction thereof, shall be imprisoned not exceeding five years and pay a fine not exceeding five thousand dollars."

"SEC. 5. That it shall be unlawful for aliens of the following classes to immigrate into the United States, namely, persons who are undergoing a sentence for conviction in their own country of felonious crimes other than political or growing out of or the result of such political offenses, or whose sentence has been remitted on condition of their emigration, and women 'imported for the purposes of prostitution.' Every vessel arriving in the United States may be inspected under the direction of the collector of the port at which it arrives, if he shall have reason to believe that any such obnoxious persons are on board; and the officer making such inspection shall certify the result thereof to the master or other person in charge of such vessel, designating in such certificate the person or persons, if any there be, ascertained by him to be of either of the classes whose importation is hereby forbidden. When such inspection is required by the collector as aforesaid, it shall be unlawful, without his permission, for any alien to leave any such vessel arriving in the United States from a foreign country until the inspection shall have been had and the result certified as herein provided; and at no time thereafter shall any alien certified to by the inspecting officer as being of either of the classes whose immigation is forbidden by this section be allowed to land in the United States, except in obedience to a judicial process issued pursuant to law. If any person shall feel aggrieved by the certificate of such inspecting officer stating him or her to be within either of the classes whose immigration is forbidden by this section, and shall apply for release or other remedy to any proper court or judge, then it shall be the duty of the collector at said port of entry to detain said vessel until a hearing and determination of the matter are had, to the end that if the said inspector shall be found to be in accordance with this section, and sustained, the obnoxious person or persons shall be returned on board of said vessel, and shall not

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thereafter be permitted to land, unless the master, owner, or consignee of the vessel shall give bond and security, to be approved by the court or judge hearing the cause, in the sum of five hundred dollars for each such person permitted to land, conditioned for the return of such person, within six months from the date thereof, to the country whence his or her emigration shall have taken place, or unless the vessel bringing such obnoxious person or persons shall be forfeited, in which event the proceeds of such forfeiture shall be paid over to the collector of the port of arrival, and applied by him, as far as necessary, to the return of such person or persons to his or her own country within the said period of six months. And for all violations of this act, the vessel, by the acts, omissions, or connivance of the owners, master, or other custodian, or the consignees of which the same are committed, shall be liable to forfeiture, and may be proceeded against as in cases of frauds against the revenue laws, for which forfeiture is prescribed by existing law."

Approved, March 3, 1875.

AN ACT to regulate immigration.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there shall be levied, collected, and paid a duty of fifty cents for each and every passenger not a citizen of the United States who shall come by steam or sail vessel from a foreign port to any port within the United States. The said duty shall be paid to the collector of customs of the port to which such passenger shall come, or if there be no collector at such port, then to the collector of customs nearest thereto, by the master, owner, agent, or consignee of every such vessel, within twenty-four hours after the entry thereof into such port. The money thus collected shall be paid into the United States Treasury and shall constitute a fund to be called the immigrant fund and shall be used, under the direction of the Secretary of the Treasury, to defray the expense of regulating immigration under this act and for the care of immigrants arriving in the United States, for the relief of such as are in distress, and for the general purposes and expenses of carrying this act into effect. The duty imposed by this section shall be a lien upon the vessels which shall bring such passengers into the United States, and shall be a debt in favor of the United States against the owner or owners of such vessels, and the payment of such duty may be enforced by any legal or equitable remedy: *Provided*, That no greater sum shall be expended for the purposes hereinbefore mentioned, at any port, than shall have been collected at such port.

SEC. 2. That the Secretary of the Treasury is hereby charged with the duty of executing the provisions of this act and with supervision over the business of immigration to the United States, and for that purpose he shall have power to enter into contracts with such State commission, board, or officers as may be designated for that purpose by the governor of any State to take charge of the local affairs of immigration in the ports within said State, and to provide for the support and relief of such immigrants therein landing as may fall into distress or need public aid, under the rules and regulations to be prescribed by said Secretary; and it shall be the duty of such State commission, board, or officers so designated to examine into the con-

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dition of passengers arriving at the ports within such State in any ship or vessel, and for that purpose all or any of such commissioners, or officers or such other person or persons as they shall appoint, shall be authorized to go on board of and through any such ship or vessel; and if on such examination there shall be found among such passengers any convict, lunatic, idiot, or any person unable to take care of himself or herself without becoming a public charge, they shall report the same in writing to the collector of such port, and such person shall not be permitted to land.

SEC. 3. That the Secretary of the Treasury shall establish such regulations and rules and issue from time to time such instructions, not inconsistent with law, as he shall deem best calculated to protect the United States and immigrants into the United States from fraud and loss and for carrying out the provisions of this act and the immigration laws of the United States; and he shall prescribe all forms of bonds, entries, and other papers to be used under and in the enforcement of the various provisions of this act.

SEC. 4. That all foreign convicts, except those convicted of political offenses, upon arrival, shall be sent back to the nations to which they belong and from whence they came. The Secretary of the Treasury may designate the State board of charities of any State in which such board shall exist by law, or any commission in any State, or any person or persons in any State whose duty it shall be to execute the provisions of this section without compensation. The Secretary of the Treasury shall prescribe regulations for the return of the aforesaid persons to the countries from whence they came and shall furnish instructions to the board, commission, or persons charged with the execution of the provisions of this section as to the mode of procedure in respect thereto, and may change such instructions from time to time. The expense of such return of the aforesaid persons not permitted to land shall be borne by the owners of the vessel in which they came.

SEC. 5. That this act shall take effect immediately.

Approved August 3, 1882.

AN ACT to remove certain burdens on the American merchant marine and encourage the American foreign carrying trade, and for other purposes, approved June 26, 1884.

SEC. 22. That until the provisions of section one, chapter three hundred and seventy-six, of the laws of eighteen hundred and eighty-two, shall be made applicable to passengers coming into the United States by land carriage, said provisions shall not apply to passengers coming by vessels employed exclusively in the trade between the ports of the United States and the ports of the Dominion of Canada or the ports of Mexico.

ACT OF FEBRUARY 26, 1885.

ORIGINAL ACT.

AN ACT to prohibit the importation and immigration of foreigners and aliens under contract or agreement to perform labor in the United States, its Territories, and the District of Columbia.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That from and after

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the passage of this act it shall be unlawful for any person, company, partnership, or corporation, in any manner whatsoever, to prepay the transportation, or in any way assist or encourage the importation or migration of any alien or aliens, any foreigner or foreigners, into the United States, its Territories, or the District of Columbia, under contract or agreement, parol or special, express or implied, made previous to the importation or migration of such alien or aliens, foreigner or foreigners, to perform labor or service of any kind in the United States, its Territories, or the District of Columbia.

SEC. 2. That all contracts or agreements, express or implied, parol or special, which may hereafter be made by and between any person, company, partnership, or corporation, and any foreigner or foreigners, alien or aliens, to perform labor or service or having reference to the performance of labor or service by any person in the United States, its Territories, or the District of Columbia, previous to the migration or importation of the person or persons whose labor or service is contracted for into the United States, shall be utterly void and of no effect.

SEC. 3. That for every violation of any of the provisions of section one of this act the person, partnership, company, or corporation violating the same, by knowingly assisting, encouraging or soliciting the migration or importation of any alien or aliens, foreigner or foreigners, into the United States, its Territories, or the District of Columbia, to perform labor or service of any kind under contract or agreement, express or implied, parol or special, with such alien or aliens, foreigner or foreigners, previous to becoming residents or citizens of the United States, shall forfeit and pay for every such offense the sum of one thousand dollars, which may be sued for and recovered by the United States or by any person who shall first bring his action therefor, including any such alien or foreigner who may be a party to any such contract or agreement, as debts of like amount are now recovered in the circuit courts of the United States; the proceeds to be paid into the Treasury of the United States; and separate suits may be brought for each alien or foreigner being a party to such contract or agreement aforesaid. And it shall be the duty of the district attorney of the proper district to prosecute every such suit at the expense of the United States.

SEC. 4. That the master of any vessel who shall knowingly bring within the United States on any such vessel, and land, or permit to be landed, from any foreign port or place, any alien laborer, mechanic, or artisan who, previous to embarkation on such vessel, had entered into contract or agreement, parol or special, express or implied, to perform labor or service in the United States, shall be deemed guilty of a misdemeanor and, on conviction thereof, shall be punished by a fine of not more that five hundred dollars for each and every such alien laborer, mechanic, or artisan so brought as aforesaid, and may also be imprisoned for a term not exceeding six months.

SEC. 5. That nothing in this act shall be so construed as to prevent any citizen or subject of any foreign country temporarily residing in the United States, either in private or official capacity, from engaging, under contract or otherwise, persons not residents or citizens of the United States to act as private secretaries, servants, or domestics for such foreigners temporarily residing in the United States as aforesaid; nor shall this act be so construed as to prevent any person, or persons,

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partnership, or corporation from engaging, under contract or agreement, skilled workmen in foreign countries to perform labor in the United States in or upon any new industry not at present established in the United States: *Provided*, That skilled labor for that purpose can not be otherwise obtained; nor shall the provisions of this act apply to professional actors, artists, lecturers, or singers, nor to persons employed strictly as personal or domestic servants: *Provided*, That nothing in this act shall be construed as prohibiting any individual from assisting any member of his family or any relative or personal friend, to migrate from any foreign country to the United States, for the purpose of settlement here.

SEC. 6. That all laws or parts of laws conflicting herewith be, and the same are hereby, repealed.

Approved February 26, 1885 (23 Stat L., 332).

AMENDATORY ACT.

AN ACT to prohibit the importation and immigration of foreigners and aliens under contract or agreement to perform labor in the United States, the Territories, and the District of Columbia.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That an act to prohibit the importation and immigration of foreigners and aliens under contract or agreement to perform labor in the United States, its Territories, and the District of Columbia, approved February twenty-sixth, eighteen hundred and eighty-five, and to provide for the enforcement thereof, be amended by adding the following:

"SEC. 6. That the Secretary of the Treasury is hereby charged with the duty of executing the provisions of this act, and for that purpose he shall have power to enter into contracts with such State commission, board, or officers as may be designated for that purpose by the governor of any State to take charge of the local affairs of immigration in the ports within said State, under the rules and regulations to be prescribed by said Secretary; and it shall be the duty of such State commission, board, or officers so designated to examine into the condition of passengers arriving at the ports within such State in any ship or vessel, and for that purpose all or any of such commissioners or officers or such other person or persons as they shall appoint shall be authorized to go on board of and through any such ship or vessel; and if in such examination there shall be found among such passengers any person included in the prohibition in this act, they shall report the same in writing to the collector of such port, and such person shall not be permitted to land.

"SEC. 7. That the Secretary of the Treasury shall establish such regulations and rules, and issue from time to time such instructions not inconsistent with law, as he shall deem best calculated for carrying out the provisions of this act; and he shall prescribe all forms of bonds, entries, and other papers to be used under and in the enforcement of the various provisions of this act.

"SEC. 8. That all persons included in the prohibition in this act, upon arrival, shall be sent back to the nations to which they belong and from whence they came. The Secretary of the Treasury may

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designate the State board of charities of any State in which such board shall exist by law, or any commission in any State, or any person or persons in any State, whose duty it shall be to execute the provisions of this section and shall be entitled to reasonable compensation therefor to be fixed by regulation prescribed by the Secretary of the Treasury. The Secretary of the Treasury shall prescribe regulations for the return of the aforesaid persons to the countries from whence they came, and shall furnish instructions to the board, commission, or persons charged with the execution of the provisions of this section as to the time of procedure in respect thereto, and may change such instructions from time to time. The expense of such return of the aforesaid persons not permitted to land shall be borne by the owners of the vessels in which they came. And any vessel refusing to pay such expenses shall not thereafter be permitted to land at or clear from any port of the United States. And such expenses shall be a lien on said vessel. That the necessary expense in the execution of this act for the present fiscal year shall be paid out of any money in the Treasury not otherwise appropriated.

"SEC. 9. That all acts and parts of acts inconsistent with this act are hereby repealed.

"SEC. 10. That this act shall take effect at the expiration of thirty days after its passage."

Approved, February 23, 1887 (24 Stat. L., 414).

AMENDMENT TO THE ALIEN CONTRACT-LABOR LAW CONTAINED IN THE DEFICIENCY BILL APPROVED OCTOBER 19, 1888 (25 STAT. L., 565).

That the act approved February twenty-third, eighteen hundred and eighty-seven, entitled "An act to amend an act to prohibit the importation and immigration of foreigners and aliens under contract or agreement to perform labor in the United States, its Territories, and the District of Columbia," be, and the same is hereby, so amended as to authorize the Secretary of the Treasury, in case that he shall be satisfied that an immigrant has been allowed to land contrary to the prohibition of that law, to cause such immigrant, within the period of one year after landing or entry, to be taken into custody and returned to the country from whence he came, at the expense of the owner of the importing vessel; or, if he entered from an adjoining country, at the expense of the person previously contracting for the services.

ACT OF MARCH 3, 1891.

AN ACT in amendment to the various acts relative to immigration and the importation of aliens under contract or agreement to perform labor.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following classes of aliens shall be excluded from admission into the United States, in accordance with the existing acts regulating immigration, other than those concerning Chinese laborers: All idiots, insane per-

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sons, paupers or persons likely to become a public charge, persons suffering from a loathsome or a dangerous contagious disease, persons who have been convicted of a felony or other infamous crime or misdemeanor involving moral turpitude, polygamists, and also any person whose ticket or passage is paid for with the money of another or who is assisted by others to come, unless it is affirmatively and satisfactorily shown on special inquiry that such person does not belong to one of the foregoing excluded classes, or to the class of contract laborers excluded by the act of February twenty-sixth, eighteen hundred and eighty-five, but this section shall not be held to exclude persons living in the United States from sending for a relative or a friend who is not of the excluded classes under such regulations as the Secretary of the Treasury may prescribe: *Provided*, That nothing in this act shall be construed to apply to or exclude persons convicted of a political offense, notwithstanding said political offense may be designated as a "felony, crime, infamous crime, or misdemeanor, involving moral turpitude" by the laws of the land whence he came or by the court convicting.

SEC. 2. That no suit or proceeding for violations of said act of February twenty-sixth, eighteen hundred and eighty-five, prohibiting the importation and migration of foreigners under contract or agreement to perform labor shall be settled, compromised, or discontinued without the consent of the court entered of record with reasons therefor.

SEC. 3. That it shall be deemed a violation of said act of February twenty-sixth, eighteen hundred and eighty-five, to assist or encourage the importation or migration of any alien by promise of employment through advertisements printed and published in any foreign country; and any alien coming to this country in consequence of such an advertisement shall be treated as coming under a contract as contemplated by such act; and the penalties by said act imposed shall be applicable in such a case: *Provided*, This section shall not apply to States and immigration bureaus of States advertising the inducements they offer for immigration to such States.

SEC. 4. That no steamship or transportation company or owners of vessels shall directly or through agents, either by writing, printing, or oral representations, solicit, invite, or encourage the immigration of any alien into the United States except by ordinary commercial letters, circulars, advertisements, or oral representations, stating the sailings of their vessels and the terms and facilities of transportation therein; and for a violation of this provision any such steamship or transportation company, and any such owners of vessels, and the agents by them employed, shall be subjected to the penalties imposed by the third section of said act of February twenty-sixth, eighteen hundred and eighty-five, for violations of the provisions of the first section of said act.

SEC. 5. That section five of said act of February twenty-sixth, eighteen hundred and eighty-five, shall be, and hereby is, amended by adding to the second proviso in said section the words "nor to ministers of any religious denomination, nor persons belonging to any recognized profession, nor professors for colleges and seminaries," and by excluding from the second proviso of said section the words "or any relative or personal friend."

SEC. 6. That any person who shall bring into or land in the United States by vessel or otherwise, or who shall aid to bring into or land in the United States by vessel or otherwise, any alien not lawfully entitled to enter the United States shall be deemed guilty of a misdemeanor, and

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shall, on conviction, be punished by a fine not exceeding one thousand dollars, or by imprisonment for a term not exceeding one year, or by both such fine and imprisonment.

SEC. 7. That the office of superintendent of immigration is hereby created and established, and the President, by and with the advice and consent of the Senate, is authorized and directed to appoint such officer, whose salary shall be four thousand dollars per annum, payable monthly. The superintendent of immigration shall be an officer in the Treasury Department, under the control and supervision of the Secretary of the Treasury, to whom he shall make annual reports in writing of the transactions of his office, together with such special reports, in writing, as the Secretary of the Treasury shall require. The Secretary shall provide the superintendent with a suitably furnished office in the city of Washington, and with such books of record and facilities for the discharge of the duties of his office as may be necessary. He shall have a chief clerk at a salary of two thousand dollars per annum, and two first-class clerks.

SEC. 8. That upon the arrival by water at any place within the United States of any alien immigrants it shall be the duty of the commanding officer and the agents of the steam or sailing vessel by which they came to report the name, nationality, last residence, and destination of every such alien, before any of them are landed, to the proper inspection officers, who shall thereupon go or send competent assistants on board such vessel and there inspect all such aliens, or the inspection officers may order a temporary removal of such aliens for examination at a designated time and place, and then and there detain them until a thorough inspection is made. But such a removal shall not be considered a landing during the pendency of such examination. The medical examination shall be made by surgeons of the Marine-Hospital Service. In cases where the services of a marine-hospital surgeon can not be obtained without causing unreasonable delay, the inspector may cause an alien to be examined by a civil surgeon and the Secretary of the Treasury shall fix the compensation for such examination. The inspection officers and their assistants shall have power to administer oaths, and to take and consider testimony touching the right of such aliens to enter the United States, all of which shall be entered of record. During such inspection after temporary removal the superintendent shall cause such aliens to be properly housed, fed, and cared for, and also, in his discretion, such as are delayed in proceeding to their destination after inspection. All decisions made by the inspection officers or their assistants touching the right of any alien to land, when adverse to such right, shall be final unless appeal be taken to the superintendent of immigration, whose action shall be subject to review by the Secretary of the Treasury. It shall be the duty of the aforesaid officers and agents of such vessel to adopt due precautions to prevent the landing of any alien immigrant at any place or time other than that designated by the inspection officers, and any such officer or agent or person in charge of such vessel who shall either knowingly or negligently land or permit to land any alien immigrant at any place or time other than that designated by the inspection officers, shall be deemed guilty of a misdemeanor and punished by a fine not exceeding one thousand dollars, or by imprisonment for a term not exceeding one year, or by both such fine and imprisonment.

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That the Secretary of the Treasury may prescribe rules for inspection along the borders of Canada, British Columbia, and Mexico. so as not to obstruct or unnecessarily delay, impede, or annoy passengers in ordinary travel between said countries: *Provided*, That not exceeding one inspector shall be appointed for each customs district, and whose salary shall not exceed twelve hundred dollars per year.

All duties imposed and powers conferred by the second section of the act of August third, eighteen hundred and eighty-two, upon State commissions, boards, or officers acting under contract with the Secretary of the Treasury shall be performed and exercised, as occasion may arise, by the inspection officers of the United States.

SEC. 9. That for the preservation of the peace and in order that arrests may be made for crimes under the laws of the States where the various United States immigrant stations are located, the officials in charge of such stations as occasion may require shall admit therein the proper State and municipal officers charged with the enforcement of such laws, and for the purposes of this section the jurisdiction of such officers and of the local courts shall extend over such stations.

SEC. 10. That all aliens who may unlawfully come into the United States shall, if practicable, be immediately sent back on the vessel by which they were brought in. The cost of their maintenance while on land, as well as the expense of the return of such aliens, shall be borne by the owner or owners of the vessel on which such aliens came; and if any master, agent, consignee, or owner of such vessel shall refuse to receive back on board the vessel such aliens, or shall neglect to detain them thereon, or shall refuse or neglect to return them to the port from which they came, or to pay the cost of their maintenance while on land, such master, agent, consignee, or owner shall be deemed guilty of a misdemeanor, and shall be punished by a fine not less than three hundred dollars for each and every offense; and any such vessel shall not have clearance from any port of the United States while any such fine is unpaid.

SEC. 11. That any alien who shall come into the United States in violation of law may be returned as by law provided, at any time within one year thereafter, at the expense of the person or persons, vessel, transportation company, or corporation bringing such alien into the United States, and if that can not be done, then at the expense of the United States, and any alien who becomes a public charge within one year after his arrival in the United States from causes existing prior to his landing therein shall be deemed to have come in violation of law and shall be returned as aforesaid.

SEC. 12. That nothing contained in this act shall be construed to affect any prosecution or other proceeding, criminal or civil, begun under any existing act or any acts hereby amended, but such prosecution or other proceedings, criminal or civil, shall proceed as if this act had not been passed.

SEC. 13. That the circuit and district courts of the United States are hereby invested with full and concurrent jurisdiction of all causes, civil and criminal, arising under any of the provisions of this act, and this act shall go into effect on the first day of April, eighteen hundred and ninety-one.

Approved March 3, 1891.

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ACT OF MARCH 3, 1893.

AN ACT to facilitate the enforcement of the immigration and contract-labor laws of the United States.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, in addition to conforming to all present requirements of law, upon the arrival of any alien immigrants by water at any port within the United States, it shall be the duty of the master or commanding officer of the steamer or sailing vessel having said immigrants on board to deliver to the proper inspector of immigration at the port lists or manifests made at the time and place of embarkation of such alien immigrants on board such steamer or vessel, which shall, in answer to questions at the top of said lists, state as to each immigrant the full name, age, and sex, whether married or single; the calling or occupation; whether able to read or write; the nationality; the last residence; the seaport for landing in the United States; the final destination, if any, beyond the seaport of landing; whether having a ticket through to such final destination; whether the immigrant has paid his own passage, or whether it has been paid by other persons or by any corporation, society, municipality, or government; whether in possession of money, and if so, whether upward of thirty dollars and how much if thirty dollars or less; whether going to join a relative, and if so, what relative and his name and address; whether ever before in the United States, and if so, when and where; whether ever in prison or almshouse or supported by charity; whether a polygamist; whether under contract, express or implied, to perform labor in the United States; and what is the immigrant's condition of health mentally and physically, and whether deformed or crippled, and if so, from what cause.

SEC. 2. That the immigrants shall be listed in convenient groups and no one list or manifest shall contain more than thirty names. To each immigrant or head of a family shall be given a ticket on which shall be written his name, a number or letter designating the list, and his number on the list, for convenience of identification on arrival. Each list or manifest shall be verified by the signature and the oath or affirmation of the master or commanding officer or of the officer first or second below him in command, taken before the United States consul or consular agent at the port of departure, before the sailing of said vessel, to the effect that he has made a personal examination of each and all of the passengers named therein, and that he has caused the surgeon of said vessel sailing therewith to make a physical examination of each of said passengers, and that from his personal inspection and the report of said surgeon he believes that no one of said passengers is an idiot or insane person, or a pauper or likely to become a public charge, or suffering from a loathsome or dangerous contagious disease, or a person who has been convicted of a felony or other infamous crime or misdemeanor involving moral turpitude, or a polygamist, or under a contract or agreement, express or implied, to perform labor in the United States, and that also, according to the best of his knowledge and belief, the information in said list or manifest concerning each of said passengers named therein is correct and true.

SEC. 3. That the surgeon of said vessel sailing therewith shall also

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sign each of said lists or manifests before the departure of said vessel, and make oath or affirmation in like manner before said consul or consular agent, stating his professional experience and qualifications as a physician and surgeon, and that he has made a personal examination of each of the passengers named therein and that said list or manifest, according to the best of his knowledge and belief, is full, correct, and true in all particulars relative to the mental and physical condition of said passengers. If no surgeon sails with any vessel bringing alien immigrants, the mental and physical examinations and the verifications of the lists or manifests may be made by some competent surgeon employed by the owners of the vessel.

SEC. 4. That in the case of the failure of said master or commanding officer of said vessel to deliver to the said inspector of immigration lists or manifests, verified as aforesaid, containing the information above required as to all alien immigrants on board, there shall be paid to the collector of customs at the port of arrival the sum of ten dollars for each immigrant qualified to enter the United States concerning whom the above information is not contained in any list as aforesaid, or said immigrants shall not be permitted so to enter the United States, but shall be returned like other excluded persons.

SEC. 5. That it shall be the duty of every inspector of arriving alien immigrants to detain for a special inquiry, under section one of the immigration act of March third, eighteen hundred and ninety-one, every person who may not appear to him to be clearly and beyond doubt entitled to admission, and all special inquiries shall be conducted by not less than four officials acting as inspectors, to be designated in writing by the Secretary of the Treasury or the superintendent of immigration, for conducting special inquiries; and no immigrant shall be admitted on special inquiry except after a favorable decision made by at least three of said inspectors; and any decision to admit shall be subject to appeal by any dissenting inspector to the superintendent of immigration, whose action shall be subject to review by the Secretary of the Treasury, as provided in section eight of said immigration act of March third, eighteen hundred and ninety-one.

SEC. 6. That section five of the act of March third, eighteen hundred and ninety-one, "in amendment of the various acts relative to immigration and the importation of aliens under contract or agreement to perform labor," is hereby amended by striking out the words "second proviso" where they first occur in said section and inserting the words "first proviso" in their place; and section eight of said act is hereby so amended that the medical examinations of arriving immigrants to be made by surgeons of the Marine-Hospital Service may be made by any regular medical officers of such Marine-Hospital Service detailed therefor by the Secretary of the Treasury; and civil surgeons shall only be employed temporarily from time to time for specific emergencies.

SEC. 7. That no bond or guaranty, written or oral, that an alien immigrant shall not become a public charge shall be received from any person, company, corporation, charitable or benevolent society or association, unless authority to receive the same shall in each special case be given by the superintendent of immigration, with the written approval of the Secretary of the Treasury.

SEC. 8. That all steamship or transportation companies, and other owners of vessels, regularly engaged in transporting alien immigrants

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to the United States, shall twice a year file a certificate with the Secretary of the Treasury that they have furnished to be kept conspicuously exposed to view in the office of each of their agents in foreign countries authorized to sell emigrant tickets, a copy of the law of March third, eighteen hundred and ninety-one, and of all subsequent laws of this country relative to immigration, printed in large letters, in the language of the country where the copy of the law is to be exposed to view, and that they have instructed their agents to call the attention thereto of persons contemplating emigration before selling tickets to them; and in case of the failure for sixty days of any such company or any such owners to file such a certificate, or in case they file a false certificate, they shall pay a fine of not exceeding five hundred dollars, to be recovered in the proper United States court, and said fine shall also be a lien upon any vessel of said company or owners found within the United States.

SEC. 9. That after the first day of January, eighteen hundred and ninety-three, all exclusive privileges of exchanging money, transporting passengers or baggage, or keeping eating houses, and all other like privileges in connection with the Ellis Island immigrant station, shall be disposed of after public competition, subject to such conditions and limitations as the Secretary of the Treasury may prescribe.

SEC. 10. That this act shall not apply to Chinese persons; and shall take effect as to vessels departing from foreign ports for ports within the United States after sixty days from the passage of this act.

Approved, March 3, 1893.

AN ACT making appropriations for sundry civil expenses of the Government for the fiscal year ending June thirtieth, eighteen hundred and ninety-five, and for other purposes.

Be it enacted, etc.,

* * * * * * *

In every case where an alien is excluded from admission into the United States under any law or treaty now existing or hereafter made, the decision of the appropriate immigration or customs officers, if adverse to the admission of such alien, shall be final, unless reversed on appeal to the Secretary of the Treasury.

* * * * * * *

"The head money from alien passengers on and after the first day of October next, collected under the act of August third, eighteen hundred and eighty-two, to regulate immigration, shall be one dollar in lieu of the fifty cents as provided in said act. That such head money and all other receipts which shall be collected on and after July first, eighteen hundred and ninety-five, in connection with immigration shall be covered into the Treasury. * * *

"The commissioners of immigration at the several ports shall be appointed by the President, by and with the advice and consent of the Senate, to hold their offices for the term of four years, unless sooner removed, and until their successors are appointed; and nominations for such offices shall be made to the Senate by the President as soon as practicable after the passage of this act."

Approved, August 18, 1894.

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AN ACT making appropriations for the legislative, executive, and judicial expenses of the Government for the fiscal year ending June 30, 1896, and for other purposes, approved March 2, 1895, under the head "Bureau of Immigration," provides:

That the Superintendent of Immigration shall hereafter be designated as Commissioner-General of Immigration, and, in addition to his other duties, shall have charge, under the Secretary of the Treasury, of the administration of the alien contract-labor laws, etc.

ACT OF JUNE 6, 1900.

AN ACT making appropriations for sundry civil expenses of the Government for the fiscal year ending June thirtieth, nineteen hundred and one, and for other purposes.

Be it enacted, etc.,

* * * * * * *

* * * and hereafter the Commissioner-General of Immigration, in addition to his other duties, shall have charge of the administration of the Chinese-exclusion law and of the various acts regulating immigration into the United States, its Territories, and the District of Columbia, under the supervision and direction of the Secretary of the Treasury.

Approved, June 6, 1900.

ACT OF MARCH 3, 1903.

AN ACT to regulate the immigration of aliens into the United States.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there shall be levied, collected, and paid a duty of two dollars for each and every passenger not a citizen of the United States, or of the Dominion of Canada, the Republic of Cuba, or of the Republic of Mexico, who shall come by steam, sail, or other vessel from any foreign port to any port within the United States, or by any railway or any other mode of transportation, from foreign contiguous territory to the United States. The said duty shall be paid to the collector of customs of the port or customs district to which said alien passenger shall come, or, if there be no collector at such port or district, then to the collector nearest thereto, by the master, agent, owner, or consignee of every such vessel or transportation line. The money thus collected shall be paid into the United States Treasury and shall constitute a permanent appropriation to be called the "immigrant fund," to be used under the direction of the Secretary of the Treasury to defray the expense of regulating the immigration of aliens into the United States under this Act, including the cost of reports of decisions of the Federal courts, and digests thereof, for the use of the Commissioner-General of Immigration, and the salaries and expenses of all officers, clerks, and employees appointed for the purpose of enforcing the provisions of this Act. The duty imposed by this section shall be a lien upon the vessel which shall bring such aliens to ports of the United States, and shall be a debt in favor of the United States against the owner or owners of such vessels, and the

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payment of such duty may be enforced by any legal or equitable remedy; the head tax herein provided for shall not be levied upon aliens in transit through the United States nor upon aliens who have once been admitted into the United States and have paid the head tax who later shall go in transit from one part of the United States to another through foreign contiguous territory: *Provided*, That the Commissioner-General of Immigration, under the direction or with the approval of the Secretary of the Treasury, by agreement with transportation lines, as provided in section thirty-two of this Act, may arrange in some other manner for the payment of the duty imposed by this section upon aliens seeking admission overland, either as to all or as to any such aliens.

SEC. 2. That the following classes of aliens shall be excluded from admission into the United States: All idiots, insane persons, epileptics, and persons who have been insane within five years previous; persons who have had two or more attacks of insanity at any time previously; paupers; persons likely to become a public charge; professional beggars; persons afflicted with a loathsome or with a dangerous contagious disease; persons who have been convicted of a felony or other crime or misdemeanor involving moral turpitude; polygamists, anarchists, or persons who believe in or advocate the overthrow by force or violence of the Government of the United States or of all government or of all forms of law, or the assassination of public officials; prostitutes, and persons who procure or attempt to bring in prostitutes or women for the purpose of prostitution; those who have been, within one year from the date of the application for admission to the United States, deported as being under offers, solicitations, promises or agreements to perform labor or service of some kind therein; and also any person whose ticket or passage is paid for with the money of another, or who is assisted by others to come, unless it is affirmatively and satisfactorily shown that such person does not belong to one of the foregoing excluded classes; but this section shall not be held to prevent persons living in the United States from sending for a relative or friend who is not of the foregoing excluded classes: *Provided*, That nothing in this Act shall exclude persons convicted of an offense purely political, not involving moral turpitude: *And provided further*, That skilled labor may be imported, if labor of like kind unemployed can not be found in this country: *And provided further*, That the provisions of this law applicable to contract labor shall not be held to exclude professional actors, artists, lecturers, singers, ministers of any religious denomination, professors for colleges or seminaries, persons belonging to any recognized learned profession, or persons employed strictly as personal or domestic servants.

SEC. 3. That the importation into the United States of any woman or girl for the purposes of prostitution is hereby forbidden; and whoever shall import or attempt to import any woman or girl into the United States for the purposes of prostitution, or shall hold or attempt to hold, any woman or girl for such purposes in pursuance of such illegal importation shall be deemed guilty of a felony, and, on conviction thereof, shall be imprisoned not less than one nor more than five years and pay a fine not exceeding five thousand dollars.

SEC. 4. That it shall be unlawful for any person, company, partnership, or corporation, in any manner whatsoever, to prepay the transportation or in any way to assist or encourage the importation or

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migration of any alien into the United States, in pursuance of any offer, solicitation, promise, or agreement, parole or special, expressed or implied, made previous to the importation of such alien to perform labor or service of any kind, skilled or unskilled, in the United States.

SEC. 5. That for every violation of any of the provisions of section four of this Act the person, partnership, company, or corporation violating the same, by knowingly assisting, encouraging, or soliciting the migration or importation of any alien to the United States to perform labor or service of any kind by reason of any offer, solicitation, promise, or agreement, express or implied, parole or special, to or with such alien shall forfeit and pay for every such offense the sum of one thousand dollars, which may be sued for and recovered by the United States, or by any person who shall first bring his action therefor in his own name and for his own benefit, including any such alien thus promised labor or service of any kind as aforesaid, as debts of like amount are now recovered in the courts of the United States; and separate suits may be brought for each alien thus promised labor or service of any kind as aforesaid. And it shall be the duty of the district attorney of the proper district to prosecute every such suit when brought by the United States.

SEC. 6. That it shall be unlawful and be deemed a violation of section four of this Act to assist or encourage the importation or migration of any alien by a promise of employment through advertisements printed and published in any foreign country; and any alien coming to this country in consequence of such an advertisement shall be treated as coming under a promise or agreement as contemplated in section two of this Act, and the penalties imposed by section five of this Act shall be applicable to such a case: *Provided*, That this section shall not apply to States or Territories, the District of Columbia, or places subject to the jurisdiction of the United States advertising the inducements they offer for immigration thereto, respectively.

SEC. 7. That no transportation company or owner or owners of vessels or others engaged in transporting aliens into the United States, shall, directly or through agents, either by writing, printing, or oral representations, solicit, invite, or encourage the immigration of any aliens into the United States except by ordinary commercial letters, circulars, advertisements, or oral representations, stating the sailings of their vessels and terms and facilities of transportation therein; and for a violation of this provision any such transportation company and any such owner or owners of vessels, and all others engaged in transporting aliens to the United States, and the agents by them employed, shall be subjected to the penalties imposed by section five of this Act.

SEC. 8. That any person, including the master, agent, owner, or consignee of any vessel, who shall bring into or land in the United States, by vessel or otherwise, or who shall attempt, by himself or through another, to bring into or land in the United States, by vessel or otherwise, any alien not duly admitted by an immigrant inspector, or not lawfully entitled to enter the United States, shall be deemed guilty of a misdemeanor, and shall, on conviction, be punished by a fine not exceeding one thousand dollars for each and every alien so landed or attempted to be landed, or by imprisonment for a term not less than three months nor more than two years, or by both such fine and imprisonment.

SEC. 9. That it shall be unlawful for any person, including any trans-

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portation company other than railway lines entering the United States from foreign contiguous territory, or the owner, master, agent, or consignee of any vessel to bring to the United States any alien afflicted with a loathsome or with a dangerous contagious disease; and if it shall appear to the satisfaction of the Secretary of the Treasury that any alien so brought to the United States was afflicted with such a disease at the time of foreign embarkation, and that the existence of such disease might have been detected by means of a competent medical examination at such time, such person or transportation company or the master, agent, owner, or consignee of any such vessel shall pay to the collector of customs of the customs district in which the port of arrival is located the sum of one hundred dollars for each and every violation of the provisions of this section; and no vessel shall be granted clearance papers while any such fine imposed upon it remains unpaid, nor shall such fine be remitted.

SEC. 10. That the decision of the board of special inquiry, hereinafter provided for, based upon the certificate of the examining medical officer, shall be final as to the rejection of aliens afflicted with a loathsome or with a dangerous contagious disease, or with any mental or physical disability which would bring such aliens within any of the classes excluded from admission to the United States under section two of this Act.

SEC. 11. That upon the certificate of a medical officer of the United States Marine-Hospital Service to the effect that a rejected alien is helpless from sickness, physical disability, or infancy, if such alien is accompanied by another alien whose protection or guardianship is required by such rejected alien, the master, agent, owner, or consignee of the vessel in which such alien and accompanying alien are brought shall be required to return said alien and accompanying alien in the same manner as vessels are required to return other rejected aliens.

SEC. 12. That upon the arrival of any alien by water at any port within the United States it shall be the duty of the master or commanding officer of the steamer, sailing or other vessel, having said alien on board to deliver to the immigration officers at the port of arrival lists or manifests made at the time and place of embarkation of such alien on board such steamer or vessel, which shall, in answer to questions at the top of said lists, state as to each alien the full name, age, and sex; whether married or single; the calling or occupation; whether able to read or write; the nationality; the race; the last residence; the seaport for landing in the United States; the final destination, if any, beyond the port of landing; whether having a ticket through to such final destination; whether the alien has paid his own passage, or whether it has been paid by any other person or by any corporation, society, municipality, or government, and if so, by whom; whether in possession of fifty dollars, and if less, how much; whether going to join a relative or friend, and if so, what relative or friend and his name and complete address; whether ever before in the United States, and if so, when and where; whether ever in prison or almshouse or an institution or hospital for the care and treatment of the insane or supported by charity; whether a polygamist; whether an anarchist; whether coming by reason of any offer, solicitation, promise or agreement, expressed or implied, to perform labor in the United States, and what is the alien's condition of health mental and physical, and whether deformed or crippled, and if so, for how long and from what cause.

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SEC. 13. That all aliens arriving by water at the ports of the United States shall be listed in convenient groups, and no one list or manifest shall contain more than thirty names. To each alien or head of a family shall be given a ticket on which shall be written his name, a number or letter designating the list in which his name, and so forth, is contained, and his number on said list, for convenience of identification on arrival. Each list or manifest shall be verified by the signature and the oath or affirmation of the master or commanding officer or the first or second below him in command, taken before an immigration officer at the port of arrival, to the effect that he has caused the surgeon of said vessel sailing therewith to make a physical and oral examination of each of said aliens, and that from the report of said surgeon and from his own investigation he believes that no one of said aliens is an idiot, or insane person, or a pauper, or is likely to become a public charge, or is suffering from a loathsome or a dangerous contagious disease, or is a person who has been convicted of a felony or other crime or misdemeanor involving moral turpitude, or a polygamist, or an anarchist, or under promise or agreement, express or implied, to perform labor in the United States, or a prostitute, and that also, according to the best of his knowledge and belief, the information in said lists or manifests concerning each of said aliens named therein is correct and true in every respect.

SEC. 14. That the surgeon of said vessel sailing therewith shall also sign each of said lists or manifests and make oath or affirmation in like manner before an immigration officer at the port of arrival, stating his professional experience and qualifications as a physician and surgeon, and that he has made a personal examination of each of the said aliens named therein, and that the said list or manifest, according to the best of his knowledge and belief, is full, correct, and true in all particulars relative to the mental and physical condition of said aliens. If no surgeon sails with any vessel bringing aliens the mental and physical examinations and the verifications of the lists or manifests shall be made by some competent surgeon employed by the owners of the said vessel.

SEC. 15. That in the case of the failure of the master or commanding officer of any vessel to deliver to the said immigration officers lists or manifests of all aliens on board thereof as required in sections twelve, thirteen, and fourteen of this Act, he shall pay to the collector of customs at the port of arrival the sum of ten dollars for each alien concerning whom the above information is not contained in any list as aforesaid.

SEC. 16. That upon the receipt by the immigration officers at any port of arrival of the lists or manifests of aliens provided for in sections twelve, thirteen, and fourteen of this Act it shall be the duty of said officers to go or send competent assistants to the vessels to which said lists or manifests refer and there inspect all such aliens, or said immigration officers may order a temporary removal of such aliens for examination at a designated time and place, but such temporary removal shall not be considered a landing, nor shall it relieve the transportation lines, masters, agents, owners, or consignees of the vessel upon which such aliens are brought to any port of the United States from any of the obligations which, in case such aliens remain on board, would, under the provisions of this Act, bind the said transportation lines, masters, agents, owners, or consignees: *Provided*, That where

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a suitable building is used for the detention and examination of aliens the immigration officials shall there take charge of such aliens, and the transportation companies, masters, agents, owners, and consignees of the vessels bringing such aliens shall be relieved of the responsibility for their detention thereafter until the return of such aliens to their care.

SEC. 17. That the physical and mental examination of all arriving aliens shall be made by medical officers of the United States Marine-Hospital Service, who shall have had at least two years' experience in the practice of their profession since receiving the degree of doctor of medicine and who shall certify for the information of the immigration officers and the boards of special inquiry hereinafter provided for, any and all physical and mental defects or diseases observed by said medical officers in any such alien, or, should medical officers of the United States Marine-Hospital Service be not available, civil surgeons of not less than four years' professional experience may be employed in such emergencies for the said service, upon such terms as may be prescribed by the Commissioner-General of Immigration, under the direction or with the approval of the Secretary of the Treasury. The United States Public Health and Marine-Hospital Service shall be reimbursed by the Immigration Service for all expenditures incurred in carrying out the medical inspection of aliens under regulations of the Secretary of the Treasury.

SEC. 18. That it shall be the duty of the owners, officers and agents of any vessel bringing an alien to the United States to adopt due precautions to prevent the landing of any such alien from such vessel at any time or place other than that designated by the immigration officers, and any such owner, officer, agent, or person in charge of such vessel who shall land or permit to land any alien at any time or place other than that designated by the immigration officers, shall be deemed guilty of a misdemeanor, and shall on conviction be punished by a fine for each alien so permitted to land of not less than one hundred nor more than one thousand dollars, or by imprisonment for a term not exceeding one year, or by both such fine and imprisonment, and every such alien so landed shall be deemed to be unlawfully in the United States and shall be deported, as provided by law.

SEC. 19. That all aliens brought into this country in violation of law shall, if practicable, be immediately sent back to the countries whence they respectively came on the vessels bringing them. The cost of their maintenance while on land, as well as the expense of the return of such aliens, shall be borne by the owner or owners of the vessels on which they respectively came; and if any master, person in charge, agent, owner, or consignee of any such vessels shall refuse to receive back on board thereof, or of any other vessel owned by the same interest, such aliens, or shall neglect to detain them thereon, or shall refuse or neglect to return them to the foreign port from which they came, or to pay the cost of their maintenance while on land, such master, person in charge, agent, owner, or consignee shall be deemed guilty of a misdemeanor and shall, on conviction, be punished by a fine not less than three hundred dollars for each and every such offense; and no vessel shall have clearance from any port of the United States while any such fine is unpaid: *Provided*, That the Commissioner-General of Immigration, under the direction or with the approval of the Secretary of the Treasury, may suspend, upon conditions to be pre-

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scribed by the Commissioner-General, the deportation of any alien found to have come under promise or agreement of labor or service of any kind if, in his judgment, the testimony of such alien is necessary on behalf of the United States Government in the prosecution of offenders against the provisions of sections four and five of this Act: *Provided*, That the cost of maintenance of any person so detained resulting from such suspension of deportation shall be paid from the "immigrant fund," but no alien certified, as provided in section seventeen of this Act, to be suffering with a loathsome or with a dangerous contagious disease other than one of a quarantinable nature, shall be permitted to land for medical treatment thereof in the hospitals of the United States.

SEC. 20. That any alien who shall come into the United States in violation of law, or who shall be found a public charge therein, from causes existing prior to landing, shall be deported as hereinafter provided to the country whence he came at any time within two years after arrival at the expense, including one-half of the cost of inland transportation to the port of deportation, of the person bringing such alien into the United States, or, if that can not be done, then at the expense of the immigrant fund referred to in section one of this Act.

SEC. 21. That in case the Secretary of the Treasury shall be satisfied that an alien has been found in the United States in violation of this Act he shall cause such alien, within the period of three years after landing or entry therein, to be taken into custody and returned to the country whence he came, as provided in section twenty of this Act, or, if that can not be so done, at the expense of the immigrant fund provided for in section one of this Act; and neglect or refusal on the part of the masters, agents, owners, or consignees of vessels to comply with the order of the Secretary of the Treasury to take on board, guard safely, and return to the country whence he came any alien ordered to be deported under the provisions of this section shall be punished by the imposition of the penalties prescribed in section nineteen of this Act.

SEC. 22. That the Commissioner-General of Immigration, in addition to such other duties as may by law be assigned to him, shall, under the direction of the Secretary of the Treasury, have charge of the administration of all laws relating to the immigration of aliens into the United States, and shall have the control, direction, and supervision of all officers, clerks, and employees appointed thereunder. He shall establish such rules and regulations, prescribe such forms of bonds, reports, entries, and other papers, and shall issue from time to time such instructions, not inconsistent with law, as he shall deem best calculated for carrying out the provisions of this Act and for protecting the United States and aliens migrating thereto from fraud and loss, and shall have authority to enter into contracts for the support and relief of such aliens as may fall into distress or need public aid; all under the direction or with the approval of the Secretary of the Treasury. And it shall be the duty of the Commissioner-General of Immigration to detail officers of the immigration service from time to time as may be necessary, in his judgment, to secure information as to the number of aliens detained in the penal, reformatory, and charitable institutions (public and private) of the several States and Territories, the District of Columbia, and other territory of the United States, and to inform the officers of such institutions of the provisions

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of law in relation to the deportation of aliens who have become public charges: *Provided*, That the Commissioner-General of Immigration may, with the approval of the Secretary of the Treasury, whenever in his judgment such action may be necessary to accomplish the purposes of this Act, detail immigration officers for temporary service in foreign countries.

SEC. 23. That the duties of the commissioners of immigration shall be of an administrative character, to be prescribed in detail by regulations prepared, under the direction or with the approval of the Secretary of the Treasury.

SEC. 24. That immigrant inspectors and other immigration officers, clerks, and employees shall hereafter be appointed, and their compensation fixed and raised or decreased from time to time, by the Secretary of the Treasury, upon the recommendation of the Commissioner-General of Immigration and in accordance with the provisions of the civil-service Act of January sixteenth, eighteen hundred and eighty-three: *Provided*, That nothing herein contained shall be construed to alter the mode of appointing commissioners of immigration at the several ports of the United States as provided by the sundry civil appropriation Act approved August eighteenth, eighteen hundred and ninety-four, or the official status of such commissioners heretofore appointed. Immigration officers shall have power to administer oaths and to take and consider testimony touching the right of any alien to enter the United States, and, where such action may be necessary, to make a written record of such testimony, and any person to whom such an oath has been administered under the provisions of this Act who shall knowingly or willfully give false testimony or swear to any false statement in any way affecting or in relation to the right of an alien to admission to the United States shall be deemed guilty of perjury and be punished as provided by section fifty-three hundred and ninety-two, United States Revised Statutes. The decision of any such officer, if favorable to the admission of any alien, shall be subject to challenge by any other immigration officer, and such challenge shall operate to take the alien whose right to land is so challenged before a board of special inquiry for its investigation. Every alien who may not appear to the examining immigrant inspector at the port of arrival to be clearly and beyond a doubt entitled to land shall be detained for examination in relation thereto by a board of special inquiry.

SEC. 25. That such boards of special inquiry shall be appointed by the commissioners of immigration at the various ports of arrival as may be necessary for the prompt determination of all cases of aliens detained at such ports under the provisions of law. Such boards shall consist of three members, who shall be selected from such of the immigrant officials in the service as the Commissioner-General of Immigration, with the approval of the Secretary of the Treasury, shall from time to time designate as qualified to serve on such boards: *Provided*, That at ports where there are fewer than three immigrant inspectors, the Secretary of the Treasury, upon recommendation of the Commissioner-General of Immigration, may designate other United States officials for service on such boards of special inquiry. Such boards shall have authority to determine whether an alien who has been duly held shall be allowed to land or be deported. All hearings before boards shall be separate and apart from the public, but the said boards shall keep complete permanent records of their proceedings and of all such testimony as

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may be produced before them; and the decision of any two members of a board shall prevail and be final, but either the alien or any dissenting member of said board may appeal, through the commissioner of immigration at the port of arrival and the Commissioner-General of Immigration, to the Secretary of the Treasury, whose decision shall then be final; and the taking of such appeal shall operate to stay any action in regard to the final disposal of the alien whose case is so appealed until the receipt by the commissioner of immigration at the port of arrival of such decision.

SEC. 26. That no bond or guaranty, written or oral, that an alien shall not become a public charge shall be received from any person, company, corporation, charitable or benevolent society or association unless authority to receive the same shall in each special case be given by the Commissioner-General of Immigration, with the written approval of the Secretary of the Treasury.

SEC. 27. That no suit or proceeding for a violation of the provisions of this Act shall be settled, compromised, or discontinued without the consent of the court in which it is pending, entered of record, with the reasons therefor.

SEC. 28. That nothing contained in this Act shall be construed to affect any prosecution or other proceeding, criminal or civil, begun under any existing Act or any Acts hereby amended, but such prosecutions or other proceedings, criminal or civil, shall proceed as if this Act had not been passed.

SEC. 29. That the circuit and district courts of the United States are hereby invested with full and concurrent jurisdiction of all causes, civil and criminal, arising under any of the provisions of this Act.

SEC. 30. That after the first day of January, nineteen hundred and three, all exclusive privileges of exchanging money, transporting passengers or baggage, or keeping eating houses, and all other like privileges in connection with any United States immigration station, shall be disposed of after public competition, subject to such conditions and limitations as the Commissioner-General of Immigration, under the direction or with the approval of the Secretary of the Treasury, may prescribe: *Provided*, That no intoxicating liquors shall be sold in any such immigrant station; that all receipts accruing from the disposal of such exclusive privileges as herein provided shall be paid into the United States Treasury to the credit of the immigrant fund provided for in section one of this Act.

SEC. 31. That for the preservation of the peace, and in order that arrests may be made for crimes under the laws of the States and Territories of the United States where the various immigrant stations are located, the officers in charge of such stations, as occasion may require, shall admit therein the proper State and municipal officers charged with the enforcement of such laws, and for the purposes of this section the jurisdiction of such officers and of the local courts shall extend over such stations.

SEC. 32. That the Commissioner-General of Immigration, under the direction or with the approval of the Secretary of the Treasury, shall prescribe rules for the entry and inspection of aliens along the borders of Canada and Mexico, so as not to unnecessarily delay, impede, or annoy passengers in ordinary travel between the United States and said countries, and shall have power to enter into contracts with foreign transportation lines for the same purpose.

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SEC. 33. That for the purposes of this Act the words "United States" as used in the title as well as in the various sections of this Act shall be construed to mean the United States and any waters, territory or other place now subject to the jurisdiction thereof.

SEC. 34. That no intoxicating liquors of any character shall be sold within the limits of the Capitol building of the United States.

SEC. 35. That the deportation of aliens arrested within the United States after entry and found to be illegally therein, provided for in this Act, shall be to the trans-Atlantic or trans-Pacific ports from which said aliens embarked for the United States; or, if such embarkation was for foreign contiguous territory, to the foreign port at which said aliens embarked for such territory.

SEC. 36. That all Acts and parts of Acts inconsistent with this Act are hereby repealed: *Provided*, That this Act shall not be construed to repeal, alter, or amend existing laws relating to the immigration, or exclusion of Chinese persons or persons of Chinese descent.

SEC. 37. That whenever an alien shall have taken up his permanent residence in this country, and shall have filed his preliminary declaration to become a citizen, and thereafter shall send for his wife or minor children to join him, if said wife, or either of said children, shall be found to be affected with any contagious disorder, and if it is proved that said disorder was contracted on board the ship in which they came, and is so certified by the examining surgeon at the port of arrival, such wife or children shall be held, under such regulations as the Secretary of the Treasury shall prescribe, until it shall be determined whether the disorder will be easily curable, or whether they can be permitted to land without danger to other persons; and they shall not be deported until such facts have been ascertained.

SEC. 38. That no person who disbelieves in or who is opposed to all organized government, or who is a member of or affiliated with any organization entertaining and teaching such disbelief in or opposition to all organized government, or who advocates or teaches the duty, necessity, or propriety of the unlawful assaulting or killing of any officer or officers, either of specific individuals or of officers generally, of the Government of the United States or of any other organized government, because of his or their official character, shall be permitted to enter the United States or any Territory or place subject to the jurisdiction thereof. This section shall be enforced by the Secretary of the Treasury under such rules and regulations as he shall prescribe.

That any person who knowingly aids or assists any such person to enter the United States or any Territory or place subject to the jurisdiction thereof, or who connives or conspires with any person or persons to allow, procure, or permit any such person to enter therein, except pursuant to such rules and regulations made by the Secretary of the Treasury, shall be fined not more than five thousand dollars, or imprisoned for not less than one nor more than five years, or both.

SEC. 39. That no person who disbelieves in or who is opposed to all organized government, or who is a member of or affiliated with any organization entertaining and teaching such disbelief in or opposition to all organized government, or who advocates or teaches the duty, necessity, or propriety of the unlawful assaulting or killing of any officer or officers, either of specific individuals or of officers generally, of the Government of the United States or of any other organized

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government, because of his or their official character, or who has violated any of the provisions of this Act, shall be naturalized or be made a citizen of the United States. All courts and tribunals and all judges and officers thereof having jurisdiction of naturalization proceedings or duties to perform in regard thereto shall, on the final application for naturalization, make careful inquiry into such matters, and before issuing the final order or certificate of naturalization cause to be entered of record the affidavit of the applicant and of his witnesses so far as applicable, reciting and affirming the truth of every material fact requisite for naturalization. All final orders and certificates of naturalization hereafter made shall show on their face specifically that said affidavits were duly made and recorded, and all orders and certificates that fail to show such facts shall be null and void.

That any person who purposely procures naturalization in violation of the provisions of this section shall be fined not more than five thousand dollars, or shall be imprisoned not less than one nor more than ten years, or both, and the court in which such conviction is had shall thereupon adjudge and declare the order or decree and all certificates admitting such person to citizenship null and void. Jurisdiction is hereby conferred on the courts having jurisdiction of the trial of such offense to make such adjudication.

That any person who knowingly aids, advises, or encourages any such person to apply for or to secure naturalization or to file the preliminary papers declaring an intent to become a citizen of the United States, or who in any naturalization proceeding knowingly procures or gives false testimony as to any material fact, or who knowingly makes an affidavit false as to any material fact required to be proved in such proceeding, shall be fined not more than five thousand dollars, or imprisoned not less than one nor more than ten years, or both.

The foregoing provisions concerning naturalization shall not be enforced until ninety days after the approval hereof.

Approved, March 3, 1903.

AN ACT to establish the Department of Commerce and Labor.

* * * * * * *

SEC. 2. That there shall be in said Department an Assistant Secretary of Commerce and Labor, to be appointed by the President, who shall receive a salary of five thousand dollars a year. He shall perform such duties as shall be prescribed by the Secretary or required by law. There shall also be one chief clerk and a disbursing clerk and such other clerical assistants as may from time to time be authorized by Congress; and the Auditor for the State and other Departments shall receive and examine all accounts of salaries and incidental expenses of the office of the Secretary of Commerce and Labor, and of all bureaus and offices under his direction, all accounts relating to the Light-House Board, Steamboat-Inspection Service, Immigration, Navigation, Alaskan fur-seal fisheries, the National Bureau of Standards, Coast and Geodetic Survey, Census, Department of Labor, Fish Commission and to all other business within the jurisdiction of the Department of Commerce and Labor, and certify the balances arising thereon to the Division of Bookkeeping and Warrants and send forthwith a copy of each certificate to the Secretary of Commerce and Labor.

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SEC. 4. That the following-named offices, bureaus, divisions, and branches of the public service, now and heretofore under the jurisdiction of the Department of the Treasury, and all that pertains to the same, known as the Light-House Board, the Light-House Establishment, the Steamboat-Inspection Service, the Bureau of Navigation, the United States Shipping Commissioners, the National Bureau of Standards, the Coast and Geodetic Survey, the Commissioner-General of Immigration, the commissioners of immigration, the Bureau of Immigration, the immigration service at large, and the Bureau of Statistics, be, and the same hereby are, transferred from the Department of the Treasury to the Department of Commerce and Labor, and the same shall hereafter remain under the jurisdiction and supervision of the last-named Department; * * * .

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SEC. 7. That the jurisdiction, supervision and control now possessed and exercised by the Department of the Treasury over the fur-seal, salmon and other fisheries of Alaska and over the immigration of aliens into the United States, its waters, territories and any place subject to the jurisdiction thereof, are hereby transferred and vested in the Department of Commerce and Labor: *Provided*, That nothing contained in this Act shall be construed to alter the method of collecting and accounting for the head-tax prescribed by section one of the Act entitled "An Act to regulate immigration," approved August third, eighteen hundred and eighty-two. That the authority, power and jurisdiction now possessed and exercised by the Secretary of the Treasury by virtue of any law in relation to the exclusion from and the residence within the United States, its territories and the District of Columbia, of Chinese and persons of Chinese descent, are hereby transferred to and conferred upon the Secretary of Commerce and Labor, and the authority, power and jurisdiction in relation thereto now vested by law or treaty in the collectors of customs and the collectors of internal revenue, are hereby conferred upon and vested in such officers under the control of the Commissioner-General of Immigration, as the Secretary of Commerce and Labor may designate therefor.

* * * * * * *

SEC. 13. That this Act shall take effect and be in force from and after its passage: *Provided, however*, That the provisions of this Act other than those of section twelve in relation to the transfer of any existing office, bureau, division, officer or other branch of the public service or authority now conferred thereon, to the Department of Commerce and Labor shall take effect and be in force on the first day of July, nineteen hundred and three, and not before.

Approved, February 14, 1903.

AN ACT granting additional quarantine powers and imposing additional duties upon the Marine-Hospital Service.

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SEC. 7. That whenever it shall be shown to the satisfaction of the President that by reason of the existence of cholera, or other infectious or contagious diseases, in a foreign country there is serious dan-

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ger of the introduction of the same into the United States, and that notwithstanding the quarantine defense this danger is so increased by the introduction of persons or property from such country that a suspension of the right to introduce the same is demanded, in the interest of the public health, the President shall have power to prohibit, in whole or in part, the introduction of persons and property from such countries or places as he shall designate and for such period of time as he may deem necessary.

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Act approved February 15, 1893 (27 Stat. L., p. 449).

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DEPARTMENT OF COMMERCE AND LABOR

BUREAU OF IMMIGRATION AND NATURALIZATION

Immigration Laws



and

Regulations of February, 1906

Edition of October, 1906

WASHINGTON
GOVERNMENT PRINTING OFFICE
1906

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DEPARTMENT OF COMMERCE AND LABOR

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IMMIGRATION LAWS AND REGULATIONS.

IMMIGRATION REGULATIONS.

DEPARTMENT OF COMMERCE AND LABOR,
BUREAU OF IMMIGRATION AND NATURALIZATION,
Washington, D. C., February 2, 1906.

RULE 1. Collectors of customs shall collect, as provided in section 1 of the act approved March 3, 1903, a duty of $2 for each and every passenger, not a citizen of the United States, or of Canada, or of Cuba, or of Mexico, or of Newfoundland, who shall come by steam or sail vessel from any foreign port to any port within the United States; but no duty shall be paid for such passengers proceeding in continuous transit through the United States to foreign territory, nor for those who have once been admitted to the United States and have paid the head tax who shall later go in transit from one part of the United States to another through foreign contiguous territory.

RULE 2. Under the authority contained in the proviso to section 1 of the act approved March 3, 1903, the duty of $2 levied upon railways or other transportation agencies for passengers brought by them overland from foreign contiguous territory shall be collected, until otherwise provided, in accordance with the terms of an agreement between the Commissioner-General of Immigration and certain transportation companies of the Dominion of Canada, of date November 1, 1901.

RULE 3. All such moneys so collected, as well as all moneys collected for rentals of exclusive privileges at United States immigrant stations, shall be deposited to the credit of the Treasurer of the United States on account of "immigrant fund," with an assistant treasurer of the United States, or national-bank depositary, in the same manner as other miscellaneous collections are reported. Separate accounts of the receipts and expenditures of money under the act shall be rendered monthly to the Secretary of the Treasury through the Department of Commerce and Labor, on forms to be furnished by the Government for the purpose.

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RULE 4. Every railway company or other transportation agency claiming exemption from payment of the head tax for any passenger brought by it to a point on the land boundary of the United States for entry thereat, under the exemption from such payment provided in section 1 of the act approved March 3, 1903, shall produce to the appropriate officer at such point a letter from an immigration officer at, or nearest to, the alleged residence of such passenger, stating that after investigation said immigration officer has ascertained that said passenger had already been lawfully admitted to the United States and that the head tax for his admission had been paid at the time of such admission, and said company or other transportation agency shall also show, as evidence that the transit of such passenger was continuous, the dated ticket issued to such passenger.

RULE 5. The head tax provided for in section 1 of the act approved March 3, 1903, shall be collected and paid for every alien passenger not specifically excepted therein.

RULE 6. The provisions of the immigration laws, and of regulations passed thereunder, except those of section 1 of the act of March 3, 1903, in relation to the payment of the head tax, extend to all persons not citizens of the United States either by birth or by naturalization therein.

RULE 7. Every alien arriving at a port of the United States shall be promptly examined, as by law provided, either on shipboard or at some other place designated for that purpose. If found admissible, he shall be at once landed, but if upon special inquiry he is denied admission, he shall be informed that he has a right of appeal therefrom, and the fact that he has been so informed shall be entered of record in the minutes of the board's proceedings, but no appeal will be considered after any such alien has, in consequence of an adverse decision of a board of special inquiry, been transferred from an immigrant station to be deported.

RULE 8. Every alien detained for special inquiry, which shall be conducted separate and apart from the public, shall have a speedy hearing, and, upon the conclusion thereof, be either at once landed or ordered deported. If he elects to appeal from said order of deportation, he must, to enable officers to comply with the provisions of section 19 of the act of March 3, 1903, file notice of such appeal promptly, and a like right of appeal may be exercised by any member of a board of special inquiry who dissents from the decision rendered by such board.

RULE 9. Every such notice of appeal shall act as a stay upon the disposal of the alien whose rights are thereby affected until a final decision is rendered by the Department; and, within thirty-six hours after the filing of such notice, the record of the case, together with

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such briefs, affidavits, and statements as are to be considered in connection therewith, should be forwarded to the Commissioner-General of Immigration by the immigration officer in charge at the port of arrival, accompanied by his views thereon in writing; but on such appeal of any case to the Department no evidence will be considered which has not already been passed upon in said case by a board of special inquiry. If additional time is granted to the friends or counsel of an appealing alien to prevent a miscarriage of justice, the said immigration officer may require the deposit of a sum of money sufficient to defray the cost of maintaining appellant during the additional time thus allowed.

RULE 10. The commissioner of immigration or the immigration officer in charge at the port of landing shall enter of record the name of every alien found upon examination to be within any of the prohibited classes, with a statement of the decision in each case; and if such decision be appealed from, immediately upon the receipt from the Department of its conclusions thereupon the alien shall be at once landed or deported in accordance with such conclusion. If a landing is refused on appeal, the master, agent, consignee, or owner of the vessel by which the said alien arrived shall be notified thereof by the commissioner or immigration officer in charge, and that the said alien will be placed on the said vessel to be returned as aforesaid.

RULE 11. Attorneys and persons appearing in behalf of detained aliens shall not be permitted to charge a sum exceeding ten dollars ($10) in each case unless the commissioner shall, in writing, allow an additional compensation, which fee shall be payable through the commissioner. Anyone charging an alien a fee prior to his detention, or charging or receiving from an alien or his relatives or friends a fee, gift, or compensation for his services in excess of above rates, or who shall deprive an alien of any part of his chattels or effects in lieu of, or as security for, said fee, shall not be permitted to practice at any immigrant station of the United States.

RULE 12. The expenses incurred for the keeping and maintenance of every alien temporarily removed from a vessel, as provided by law, shall be borne by the owner or owners of the vessel upon which he came until he is lawfully landed or delivered on board such vessel for deportation.

RULE 13. The master, agent, owner, or consignee of any vessel on which aliens are brought to the United States shall, at least twenty-four hours in advance thereof, notify the commissioner of immigration of the intended time of sailing of such vessel, in order that said officer may place on board thereof every alien brought thereon who has been refused a landing.

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RULE 14. Every alien professing to seek a landing for the purpose of proceeding directly through the United States to a foreign country shall be examined, and, if found to be a member of any one of the excluded classes, shall be refused permission to land, in the same manner as though he intended to remain in the United States.

RULE 15. No alien desiring admission at a port of the United States for the professed purpose of proceeding directly therefrom to foreign territory shall be permitted to land thereat except after deposit with the collector of customs at said port, by the master or owner of the vessel on which such alien is brought, of the amount of the head tax ($2) prescribed by section 1 of the act approved March 3, 1903; said amount to be refunded upon proof satisfactory to the immigration officer in charge at the port of arrival that said alien has passed by direct and continuous journey through and out of the United States within thirty days from the date of admission, proof of such departure to be furnished within thirty days from the date of such departure. Special deposits of head tax on account of aliens in transit will, at the expiration of thirty days, be covered into the Treasury as head tax, the cases in which proof of departure is received after thirty days to be reported to the Bureau of Immigration for special authorization, under the provision incorporated in the legislative, executive, and judicial appropriation act approved February 3, 1905.

RULE 16. In view of the provisions of sections 16 to 19, inclusive, of the act of March 3, 1903, the following procedure will be observed with regard to aliens who, upon arrival or while being detained on board ship or in an immigrant station pending landing, are found to be in such physical condition, by reason of some sickness or disability other than a loathsome or a dangerous contagious disease, that the question of their admissibility can not be intelligently determined or, if considered inadmissible, that they can not immediately be deported with safety: Such a disabled alien may be afforded the required medical treatment on board ship or in the detention quarters or may be removed to a suitable hospital for treatment, as in his discretion the Commissioner of Immigration or inspector in charge at the port may decide is required by existing circumstances and the condition of the alien's health as reported upon by the surgeon charged with the medical examination of aliens at such port. If such an alien is removed to a hospital, he shall not be regarded as in any sense landed, and the cost of his maintenance and care there must be paid by the transportation company by which he is brought to the port to the same extent as though he were held on board ship or in a detention station. If in the judgment of the Commissioner or inspector in charge, based upon the expressed opinion of the medical examiner, it is necessary as a measure of humanity or for the proper care of the alien so removed to hospital to also place in the hospital a suitable attendant or some

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person who is dependent upon the disabled alien, the cost of the detention in hospital of such additional person must also be borne by the interested transportation company. Bills for hospital treatment and maintenance in such cases shall be rendered monthly by the hospital against the steamship companies responsible, through the office of the Commissioner or inspector in charge, the latter's approval to be attached to the bills, if found correct, before forwarding them to the companies for settlement, in accordance with the provisions of section 19 of the immigration act. Officers of the immigration service will in all such cases look to the steamship companies for settlement of the hospital bills and will take no part in any arrangements affecting the matter which such a company may have made or may make with the alien or his friends. If any steamship company refuses to pay bills for hospital treatment rendered against them, with the approval of the immigration officials, as prescribed in this rule, it will of course be necessary to require thereafter that all aliens brought by the vessels of such company shall be held on board ship until their applications for admission have been finally granted or denied. (See also Rule 18.)

RULE 17. Any alien who has been lawfully landed, but who has become a public charge from subsequently arising physical inability to earn a living, which is likely to be of a permanent nature, may, by consent of the alien and with the approval of the Bureau of Immigration, be deported within one year from date of landing, at the expense of the immigrant fund, provided that such alien is delivered to the immigration officers at a designated port free of charge; and the charges incurred for the care and treatment of any such alien in any public or charitable institution from the date of notification to an officer of the Bureau of Immigration until the expiration of one year after landing may be paid from the immigrant fund at fixed rates agreed upon.

RULE 18. Any alien who has been finally determined to be admissible may be permitted to wait for friends or remittances upon payment by him of expenses incurred by reason of such delay. In case such an alien is unable, from accident or other unavoidable circumstances, to immediately continue his journey, and is without sufficient means to defray the expense of his enforced delay, the commissioner of immigration may, in his discretion, pay said expense, reporting said case to the Bureau of Immigration with reasons for his action, and request that such expense be repaid out of the immigrant fund.

RULE 19. Not over one accompanying alien (preferably the natural guardian or a relative) shall be detained at the expense of the transportation company for the purpose of caring for an alien who, for any reason, is detained for further inquiry, if the latter requires such care. (See sec. 11, act approved March 3, 1903.)

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RULE 20. No application for the admission under bond of a debarred alien will be considered except in cases in which deportation of the alien in whose behalf such application is made would involve the separation of immediate members of a family by whom such alien is accompanied, and in that case only when a deposit of money is made sufficient to defray the expense of maintaining such alien whilst awaiting a decision upon such application.

RULE 21. The cost of returning aliens under the provisions of sections 19, 20, and 21 of the act approved March 3, 1903, shall include all expenses incurred for maintenance of such aliens after such cases are brought to the attention of an officer of the Bureau of Immigration, provided said Bureau, upon investigation, has ascertained the case to be one for deportation and has so ordered.

RULE 22. Every immigration officer deporting any alien under the provisions of section 20 or section 21 of the act of March 3, 1903, shall submit to the Bureau of Immigration for approval bills for one-half the cost of inland transportation of such alien to the seaport of deportation against the vessel or transportation line by which such alien was brought to the United States, in order that the amount so expended by any such officer may be collected.

RULE 23. In case of the failure of the master or commanding officer of any vessel bringing aliens to any port within the United States to deliver to the immigration officers at said port lists or manifests of such aliens, as required in sections 12, 13, and 14 of the act approved March 3, 1903, there shall be paid to the collector of customs at the port of arrival the sum of $10 for each alien concerning whom the information required by such sections is not contained in any list or manifest as aforesaid. Under an opinion of the Solicitor of the Treasury the fine mentioned in this rule can not be remitted.

RULE 24. The certificate required by section 8 of the act approved March 3, 1893, shall be filed with the Secretary of Commerce and Labor upon the first days of January and July of each year.

RULE 25. No charge for food, lodging, or maintenance, or for hospital attendance, medicines, or other hospital expenses shall be made in excess of the actual cost of furnishing the same, the intention being to make the Service self-sustaining without profit.

RULE 26. Every officer of the United States Public Health and Marine-Hospital Service detailed under section 17 of the act approved March 3, 1903, for duty to any point in the United States shall, during the continuance of such detail, be under the direction (subject to the Public Health and Marine-Hospital Service regulations governing the medical inspection of aliens, as approved by the Secretary of the Treasury November 18, 1902) of the immigration officer in charge of the said port.

RULE 27. There shall be made by the commissioners of immigration

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at the various ports of the United States and Canada weekly reports to the Bureau of Immigration containing a list of all aliens detained at the close of business on Saturday of each week, in which shall be embodied the following information: Name of alien; age and sex; date of arrival; vessel on which alien arrived; date of detention; cause of detention; whether case has been disposed of, and if so, what disposition has been made of it.

RULE 28. Officers employed in the administration of the immigration and Chinese-exclusion laws are notified that all communications to the Department upon official matters must be addressed to the Commissioner-General of Immigration or to the Secretary of Commerce and Labor.

RULE 29. The cases of aliens who have become public charges should be reported to the immigration officer stationed *nearest* the place where the aliens are confined, such reports to be accompanied by an unequivocal certificate of the principal medical officer of the institution of which such aliens are inmates, setting forth the mental or physical disability of the alien in each instance and stating whether or not such alien is a public charge due to causes existing prior (or arising subsequent) to the landing of such alien in the United States. Sufficient data regarding time and port of arrival and the name of the vessel or line which brought the aliens should also accompany such reports.

RULE 30. In the event that the examining medical officer is able to certify unequivocally that an alien was, at the time of landing in the United States, afflicted with insanity, idiocy, epilepsy, or a loathsome or dangerous contagious disease, such a certificate will be accepted as *prima facie* evidence of entry in violation of section 2 of the act approved March 3, 1903.

RULE 31. Every immigration officer receiving a report in conformity with rule 29, accompanied by a medical certificate that complies with either rule 29 or rule 30, shall communicate with the officer in charge at the port of entry and, if landing is verified from the official records, shall make application for warrant in the manner provided by circular number eight, Bureau of Immigration. Such aliens will not be removed from the institutions in which they are confined unless, after due hearing, an order of deportation is issued or unless special instructions for removal are incorporated in the warrant.

F. P. SARGENT,
Commissioner-General of Immigration.

Approved:
V. H. METCALF,
Secretary of Commerce and Labor.

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EXAMINATION OF ALIEN SEAMEN UNDER THE PROVISIONS OF THE LAWS REGULATING IMMIGRATION.

1903.
DEPARTMENT CIRCULAR, No. 10,
BUREAU OF IMMIGRATION.

DEPARTMENT OF COMMERCE AND LABOR,
OFFICE OF THE SECRETARY,
Washington, August 1, 1903.

To commissioners of immigration and other officers charged with the administration of the various laws pertaining to the immigration of aliens:

In view of the opinion of the Attorney-General of the United States, of date September 10, 1901 (23 Op., 521), you are hereby instructed that it is your duty to make such an investigation of every vessel arriving at a port of the United States from any other than a mainland or continental port thereof, as will enable you to ascertain the members of their respective crews who are aliens, as well as the intention of such alien members in seeking a landing.

(1) Alien seamen who seek to land, in the regular course of their pursuit, with the bona fide intention of departing as soon as practicable upon some outward-bound vessel, are not to be held for examination touching their right to land under the various acts regulating immigration into the United States, nor shall the masters of the vessels upon which they come to a port of the United States be charged on their account with the head tax prescribed by section 1 of the act approved March 3, 1903.

(2) Alien seamen who are discharged, or are to be discharged, or who have deserted their vessel at a port of the United States with any other object in view than departing as described in the next preceding paragraph (1) are in no respect to be distinguished on account of their prior calling or occupation as seamen from other aliens seeking admission to this country, either as regards collection of head tax on their account or as respects the examination and determination of their right to remain under the various acts regulating immigration.

(3) All other aliens signed on the ship's articles of any vessel arriving at a port of the United States shall be examined, and in all respects regarded, as alien passengers, on account of whom the head tax should be collected and who should be admitted, or ordered returned to the countries whence they came, in accordance with the laws and regulations governing immigration.

GEO. B. CORTELYOU,
Secretary.

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[Bureau Circular, No. 8.]

REGULATIONS GOVERNING WARRANTS—IMMIGRATION SERVICE.

DEPARTMENT OF COMMERCE AND LABOR,
BUREAU OF IMMIGRATION,
Washington, February 5, 1904.

To all officers charged with the enforcement of the immigration laws:

You are hereby directed to conform in future, in making application for warrants for the arrest and deportation of aliens found unlawfully in the United States, to the following regulations:

(1) All such applications must be made, if possible, upon blank forms (No. 565), which will be furnished upon written request to the Commissioner-General of Immigration, Department of Commerce and Labor, and which must be filled out in accordance with the printed lines contained therein, and be accompanied by the certificate of landing or entry (Form No. 564), hereinafter prescribed, or if not so accompanied the reasons for the absence of such certificate must be given, and in that case all the facts called for in the blank form of said certificate shall be set forth in the application, so far as the facts are ascertainable.

(2) A full statement must be made in every such application of the facts, supported if practicable by affidavits, which show the presence in the United States of the alien, whose arrest and deportation is sought, to be in violation of law.

(3) The certificate of landing in, or entry into, the United States must contain a complete statement in detail of all the facts disclosed as to any such alien by the manifest or list containing his name, with an attached certificate by the officer in charge of such manifest that the information given agrees in all particulars with the record of such alien in said list or manifest.

(4) If the circumstances of any particular case necessitate resort to request by wire, such request must state that the foregoing regulations have been complied with, and that the form of application and certificate hereinbefore mentioned have been forwarded to the Department, and must give the substance of the statement of facts contained in the said application and certificate.

(5) If, upon the receipt of any such application and certificate, or of the request by wire provided for in paragraph 4, either completely in conformity with these regulations or accompanied by a satisfactory explanation of inability to comply therewith, it appears to the Secretary that the alien whose arrest and deportation is sought is in the United States unlawfully and that the time within which he can be deported has not expired, a warrant for his arrest will be issued directing that he be taken before an officer, or officers, named therein, and there be given full opportunity to show cause, if there be any, why he should not be deported, and as soon as arrested said alien shall be apprised of his right to be represented by counsel, and he and his counsel shall have the right to inspect all the evidence upon which the Secretary has acted in directing said alien's arrest, and be given an opportunity to offer evidence and submit an argument in his behalf,

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and be given an opportunity to inspect and make a copy of the report of the hearing and of the findings of the officers before whom it is held. In case said alien is unable to understand or to speak the English language, an interpreter shall, if possible, be employed at the hearing.

(6) If, after the receipt of the report of such hearing, accompanied by the findings of the officers before whom it was held, it shall appear to the satisfaction of the Secretary, from all the evidence, that such alien is in the United States in violation of law and that the time within which he can be deported has not expired, a warrant will be issued for his deportation.

(7) Officers are warned that their duties are not of an inquisitorial nature; but they are directed to make thorough investigation of all cases where they are credibly informed, or have reason to believe, that a specified alien is in the United States in violation of law. It is not permissible for officers to resort to intimidation by threats or violence in order to extort from any suspected alien or from any other person the information to be embodied in the application for the warrant of arrest.

F. P. SARGENT,
Commissioner-General.

Approved:
GEO. B. CORTELYOU,
Secretary.

MEDICAL CERTIFICATES UPON MANIFESTS OF ALIENS BROUGHT TO THE UNITED STATES ON VESSELS SAILING WITHOUT SURGEON.

1904.
DEPARTMENT CIRCULAR, No. 50,
BUREAU OF IMMIGRATION.

DEPARTMENT OF COMMERCE AND LABOR,
OFFICE OF THE SECRETARY,
Washington, October 4, 1904.

To whom it may concern:

The immigration act approved March 3, 1903 (section 14), requires that when no surgeon sails with a vessel bringing aliens to the United States the mental and physical examination of such aliens shall be made by "some competent surgeon employed by the owners of the said vessel."

The certificate (unverified) of a responsible surgeon at the point of embarkation or at the last port of call, in the form appearing upon the reverse side of the manifest (Form 500), will, until further notice, be accepted by immigration officers as a compliance with the statute.

Section 15 of the act approved March 3, 1903, reads as follows:

"That in the case of the failure of the master or commanding officer of any vessel to deliver to the said immigration officers lists or manifests of all aliens on board thereof as required in sections twelve, thirteen, and fourteen of this act, he shall pay to the collector of customs at the port of arrival the sum of ten dollars for each alien concerning whom the above information is not contained in any list as aforesaid."

LAWRENCE O. MURRAY,
Acting Secretary.

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COLLECTION OF HEAD TAX ON ACCOUNT OF ALIENS CROSSING THE MEXICAN BORDER.

BUREAU CIRCULAR, No. 13.

DEPARTMENT OF COMMERCE AND LABOR,
BUREAU OF IMMIGRATION,
Washington, February 28, 1905.

To officers of the Immigration Service and others concerned:

In conformity with the provisions of the immigration laws the following instructions are hereby promulgated in relation to the assessment of head tax upon aliens applying for admission to the United States via the Mexican border:

1. Blanks will be provided in the following form, with spaces as indicated, for statistical data and information as to the manner in which the head tax should be assessed, viz:

FORM 548. *Report of inspection—Mexican border.*

DEPARTMENT OF COMMERCE AND LABOR,
IMMIGRATION SERVICE,
PORT OF,
(*Date*), *190..*

Name of passenger, ...; Age, ...; Sex, ...; Married or single, ...;
Calling or occupation, ...; Read or write, ...; Nationality, ...;
Race, ...; Last residence, ...; Final destination, ...;
Ticket to destination, ...; Who paid passage?; Money, ...;
Going to relative or friend; if so, whom?;
Ever in U. S.?; If so, where and when?; Ever in prison, etc.?;
Polygamist, ...; Anarchist, ...; Contract laborer, ...;
Health, etc., ...
Whether in transit, and if so, how?
Admitted on primary inspection, ...
Held for board of special inquiry, ...
Railway, bridge company, or individual responsible for payment of head tax, ...
(*Signature*)
(*Title*)

2. These blanks shall be used by every officer of the immigration service making examinations of aliens on the Mexican border, and shall be filled out completely in each case and delivered to the inspector in charge at the port of entry, who will thereupon prepare written notice to the collector of customs, upon blank forms which will be provided, reading as follows:

FORM 549. *Statement of aliens subject to head tax—Mexican border.*

DEPARTMENT OF COMMERCE AND LABOR,
IMMIGRATION SERVICE,
OFFICE OF,
PORT OF,
(*Date*), *190..*

COLLECTOR OF CUSTOMS,
Port (or district) of

I hereby certify that head tax has been incurred by (railway, bridge company, or individual) on account of alien passenger.. arriving by (*) on this date as follows:

Aliens subject to head tax, at $2 each, as follows:

..... $.....
.....

* Give train number or state mode of transportation.

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Amount to be deposited on account of alien.. in transit (Rule 15) and held as special deposit (Treasury decision 24439), as follows:

..... $.....

.....

Total..... $.....

(*Signature*)

(*Title*)

3. In the case of taxable aliens crossing the border by other than regular (bridge or railway) transportation, the same procedure will be followed as above outlined, except that examination shall not proceed beyond the point necessary to determine liability for head tax, until such tax has been paid to the customs officer. The information blank provided in paragraph 1 hereof will necessarily be filled out so far as to determine and report nationality, but further inspection (and admission) will be refused until payment of the head tax.

F. P. SARGENT,
Commissioner-General.

Approved:
V. H. METCALF,
Secretary.

METHOD OF REPORTING FINES INCURRED UNDER THE IMMIGRATION AND CHINESE EXCLUSION LAWS.

DEPARTMENT CIRCULAR, No. 75.
BUREAU OF IMMIGRATION.

DEPARTMENT OF COMMERCE AND LABOR,
OFFICE OF THE SECRETARY,
Washington, May 10, 1905.

To whom it may concern:

The following regulations in regard to penalties incurred for violations of the laws regulating immigration and relating to the exclusion of Chinese are hereby promulgated, and strict compliance therewith is enjoined:

Commissioners of immigration or inspectors in charge will, in all cases wherein a *United States attorney is requested to institute proceedings* for the recovery of prescribed penalties or to undertake criminal prosecution of an alleged offender against the immigration or Chinese exclusion laws, make a report at the same time to the *collector of customs* for the district in which the offense was alleged to have been committed. Said report shall be rendered in every case which may arise, irrespective of the possible outcome of any legal proceedings, and shall embrace the following: (1) Date when offense was committed; (2) act, and section thereof, violated; (3) nature of offense; (4) name of offender; (5) nationality, kind, and name of vessel; (6) statutory amount of fine; (7) date of reporting case to United States attorney.

Upon receipt of the above reports the collector of customs will give each case a number in chronological order. When more than one section of a statute is violated by the same vessel, a separate case number will be given to each violation.

At the close of each month collectors of customs will render reports in the same manner as in the case of navigation and steamboat-inspection fines, viz: All fines incurred during the month must be reported on form Cat. No. 1078, showing, under the heading "Remarks," the date when the case was reported to the United States attorney.

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All fines disposed of during the month must be reported on form Cat. No. 1032. In connection with this form the account current (form Cat. No. 1030) must be used.

At the close of June and December in each year semiannual reports, on form Cat. No. 1079, must be rendered, showing all unsettled cases on hand and explaining the cause of delay in disposing of them.

V. H. METCALF,
Secretary.

[Supersedes Treasury Department Circular, No. 97, November 1, 1901.]

INSPECTION OF ALIENS LANDED AT PORTS OF THE DOMINION OF CANADA.

DEPARTMENT CIRCULAR, No. 104,
BUREAU OF IMMIGRATION.

DEPARTMENT OF COMMERCE AND LABOR,
OFFICE OF THE SECRETARY,
Washington, November 24, 1905.

To officers of the Immigration Service and others concerned:

In view of the agreement between the various steamship and railroad companies in the Dominion of Canada and the Commissioner-General of Immigration of the United States of America, the following rules and regulations governing the inspection and entry of aliens into the United States from foreign countries, through Canadian territory, are prescribed in accordance with section 32 of the act of Congress approved March 3, 1903, entitled "An act to regulate the immigration of aliens into the United States," and the acts amendatory thereof and supplementary thereto:

1. All aliens arriving in Canada, destined to the United States, shall be inspected at one of the following ports: Halifax, Nova Scotia; Quebec and Point Levis, Quebec; St. John, New Brunswick, and Vancouver and Victoria, British Columbia; and the holders of certificates, duly signed by the United States Commissioner of Immigration for Canada, shall be entitled to admittance to the United States at any one of the places of entry to the United States along the border without further examination by the immigration officers as to their right to enter, upon their identification and their surrender of said certificates to such officials. The said certificates shall be in the following form:

FORM NO. 524. *Alien certificate.* No.

DEPARTMENT OF COMMERCE AND LABOR,
IMMIGRATION SERVICE,

....., ...

This is to certify that, a native of, who arrived at the port of, per steamship "....." on the, 190.., has been duly inspected and registered, and will be admitted into the United States upon proper identification and surrender of this certificate to any immigration officer at the frontier.

The description of the holder is as follows: Age, ...; height, ...; weight, ...; color of hair, ...; color of eyes, ...

Remarks: [Note destination, etc.].....

.....

.....

.....

U. S. Commissioner of Immigration.

Surrendered at, to Inspector, ..., 190..
[Date.]

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2. The examination at Canadian ports of aliens destined to the United States shall be similar in all respects to that conducted at ports of the United States. Such aliens as, in the opinion of the examining inspector, are not clearly entitled to admission shall be taken before a board of special inquiry, whose decision shall be final, unless reversed upon appeal, as provided for in section 25 of the act approved March 3, 1903.

3. All aliens arriving at said Canadian ports who are adjudged inadmissible to enter the United States shall be refused the certificates herein called for, and the steamship company bringing such aliens shall be required to return them to the countries from which they respectively came.

4. The masters, owners, or agents of vessels bringing aliens to Canadian ports, destined to the United States, shall be required to furnish to the United States immigrant inspector in charge at said ports access to complete manifests of all alien passengers arriving upon vessels of their respective lines, and, in addition thereto, complete manifests of all alien passengers destined to the United States, such as are required by law in the cases of vessels bringing aliens to ports of the United States; and said masters, owners, or agents shall pay to the United States Commissioner of Immigration for Canada the sum of two dollars for each and every alien not a citizen of the Dominion of Canada, Newfoundland, the Republic of Cuba, or the Republic of Mexico, brought to a Canadian port and destined to the United States.

5. All moneys collected as provided in the foregoing rule shall be transmitted by the United States Commissioner of Immigration for Canada to an Assistant Treasurer of the United States, in the same manner as other miscellaneous collections are reported by collectors of customs of the United States, to be deposited to the credit of the Treasurer of the United States on account of the "Immigrant fund." Statement of such receipts, under this agreement, must be rendered monthly to the Secretary of Commerce and Labor, on forms provided for that purpose.

6. Said United States Commissioner of Immigration for Canada shall give bond to the United States in the sum of ten thousand dollars ($10,000), with sureties approved by the Secretary of Commerce and Labor, conditioned for the faithful discharge of his duties and the remittance of above collections. He shall make monthly reports to the Commissioner-General of Immigration, upon blanks to be furnished by the Department of Commerce and Labor, of all aliens arriving at stations under the jurisdiction of the said Commissioner of Immigration.

7. All aliens not provided with certificates as required, who shall apply at the border between Canada and the United States within one year after arriving at a Canadian port, shall be required to return to such port, or to any port designated under Rules 1 and 7 of these regulations, for payment of head tax, examination, and certificate described in Rule 1 hereinbefore, provided that aliens destined in good faith to Canada, and who shall have settled at some point in the Dominion of Canada, who shall apply as above for admission to the United States within one year after arrival in Canada, shall be examined by the board of special inquiry located at any one of the following points: Yarmouth, Nova Scotia; Montreal, Canada; Buffalo and Suspension Bridge, New York; Detroit, Port Huron, and Sault Ste. Marie, Michigan; Duluth, Minnesota; Winnipeg, Manitoba; Portal, North

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Dakota; Northport, Sumas, and Blaine, Washington. The decision of said board of special inquiry shall have the same force and effect as decisions of boards of special inquiry at ocean ports of the United States.

8. All facilities in the way of accommodations, access to aliens, and the keeping of aliens apart from the public until after inspection shall be afforded to the immigrant inspectors of the United States at the ports of landing, to enable them to make such inspection as is required by the laws of the United States.

9. It is expected that the railway and other transportation companies in the Dominion of Canada will not sell to any aliens en route to any part of the United States tickets for their transportation, or transport them in cars or vessels from the port of entry, until after they have exhibited their certificates as herein provided, and will not knowingly transport into the United States any rejected or undesirable aliens or those who are by law prohibited from entering its territory, but will return the rejected aliens to the ports at which they arrived.

10. United States officers charged with the execution of the immigration laws and regulations along the Canadian border will, at the end of each month and from time to time as may be required, report in writing to the United States Commissioner of Immigration for Canada, upon blanks to be prescribed by him, the number of aliens passing through their respective ports of entry and the Canadian ports at which they landed, and the said Commissioner of Immigration for Canada will make to the Commissioner-General of Immigration similar reports in consolidated form, comprising both ocean and border ports.

11. The various steamship lines parties to the Canadian agreement shall return from some port of the United States, at their own expense, such aliens as, having been brought into the Dominion of Canada upon their respective lines, have become public charges in the United States within two years thereafter, from causes existing prior thereto, in like manner as aliens who have become public charges under similar conditions are returned by lines which bring them to United States ports.

12. The immigration regulations adopted by the Department of Commerce and Labor relating to the examination of aliens at ports of the United States shall apply, in so far as may be practicable, to the inspection of aliens coming through the Dominion of Canada destined to the United States.

V. H. METCALF,
Secretary.

[Supersedes Department Circular No. 58, January 25, 1905.]

PROCEDURE FOR IMPOSITION OF FINES ON ACCOUNT OF BRINGING DISEASED ALIENS TO THE UNITED STATES.

DEPARTMENT CIRCULAR, No. 131.
BUREAU OF IMMIGRATION AND NATURALIZATION.

DEPARTMENT OF COMMERCE AND LABOR,
OFFICE OF THE SECRETARY,
Washington, October 24, 1906.

To whom it may concern:

As a means of enforcing the collection of any fine imposed under the provisions of section 9 of the immigration act approved March 3, 1903,

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the said section directs the refusal of clearance papers to any vessel bringing any alien, diseased as described therein, to a port of the United States.

To avoid, on the one hand, the denial of reasonable time to the master, agent, owner, or consignee to show cause why such fine should not be imposed, and, on the other hand, the loss of the summary and effective means provided for the collection of such fines, the following regulations are hereby promulgated:

1. *Medical certificates.*—The certificate of the medical examiner in the case of an alien afflicted with a loathsome or dangerous contagious disease shall state in terms whether, in his judgment, the "existence of such disease might have been detected by means of a competent medical examination at the port of foreign embarkation."

2. *Notification.*—Upon the receipt of a medical certificate in compliance with the preceding paragraph hereof, the commissioner of immigration or inspector in charge at the port of arrival shall *at once* serve notice upon the master, agent, owner, or consignee of the vessel upon which such alien arrived, in the following form, printed blanks for that purpose to be procured from the Department, viz:

Notice of liability for fine on account of bringing diseased alien to the United States.

FORM 507. [Prepare in triplicate.]

DEPARTMENT OF COMMERCE AND LABOR,
IMMIGRATION SERVICE,
OFFICE OF,
PORT OF,
....., 190..

To
..... of the steamship
[Master, agent, owner, or consignee.]
.....

In conformity with the requirements of Department Circular, No. 131, you are hereby notified that the certificate of the examining surgeon, based upon a physical examination of the alien whose name is shown herein, indicates that a fine should be imposed under the provisions of section 9 of the immigration act approved March 3, 1903.

If you desire a hearing as to whether a fine should be imposed in this instance, you will be allowed fourteen days from the date of this notice for that purpose, and the vessel on which the said alien arrived will be granted clearance papers when she is ready to sail and allowed to proceed upon her outward-bound voyage, upon condition that you deposit with the collector of customs at this port, prior to her sailing, the sum of one hundred dollars as security for the payment of the said fine, should it be imposed.

Name of alien.	Steamship.	Disease.
.....		

.....
[Name.]
.....
[Official title.]

Received the above notice, 190.., at M.
[Time.]

.....

(Witness:)
.....

The notification shall be prepared *in triplicate*, the original to be delivered by an employee of the Immigration Service at the office of the master, agent, owner, or consignee to whom it is addressed, said employee to witness the signature of the recipient. Receipt of service shall be indorsed upon the duplicate and triplicate, the duplicate to be returned to the office of the commissioner of immigration or inspector

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in charge and preserved as proof of delivery, and the triplicate to be delivered to the collector of customs, who will withhold clearance papers until the deposit is made.

3. *Deposit.*—The special deposit of $100 required to stay action for the period of fourteen days shall be made to the collector of customs for the district wherein the port of arrival is located before such sailing, and in default thereof all further proceedings shall be discontinued and the facts certified to the Bureau of Immigration and Naturalization by first mail, together with the medical certificate and duplicate notice, in order that such action may be taken as the evidence requires.

4. *Stay of action.*—If, after service of the notice as provided in paragraph 2 of this circular, the deposit of $100 has been made in conformity with the said notice, the commissioner of immigration or inspector in charge shall suspend further proceedings until the submission of the evidence offered to show why the said fine should not be imposed, or until the lapse of the specified period of fourteen days thereafter. When the said evidence has been submitted it shall be forwarded, together with the certificate of the examining surgeon and duplicate notice, to the Commissioner-General of Immigration, for presentation to the Secretary of Commerce and Labor, by the said commissioner or inspector in charge, who shall at the same time present his written views as to whether the said fine should be imposed. If no evidence is submitted prior to the expiration of the said fourteen days, then said commissioner or inspector in charge shall report the case without such evidence, for action by the Secretary of Commerce and Labor.

5. *Final proceedings.*—Upon receipt of the decision of the Secretary of Commerce and Labor, a copy thereof shall be forwarded to the collector of customs, together with such data as may enable him to identify the special deposit made in that particular case. If the said decision imposes the fine, the $100 deposited as security shall be accounted for by the said collector in the usual manner, as a fine; if the decision holds that the penalty has not been incurred, the collector of customs shall return to the depositor the amount deposited as security.

V. H. METCALF,
Secretary.

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IMMIGRATION LAWS.

Sections 3 and 5 of an act supplementary to the acts in relation to immigration, approved March 3, 1875, vol. 18, part 3, United States Statutes at Large, provide:

"SEC. 3. That the importation into the United States of women for the purpose of prostitution is hereby forbidden; and all contracts and agreements in relation thereto, made in advance or in pursuance of such illegal importation and purposes, are hereby declared void; and whoever shall knowingly and willfully import, or cause any importation of, women into the United States for the purposes of prostitution, or shall knowingly or willfully hold, or attempt to hold, any women to such purposes, in pursuance of such illegal importation and contract or agreement, shall be deemed guilty of a felony, and, on conviction thereof, shall be imprisoned not exceeding five years and pay a fine not exceeding five thousand dollars."

"SEC. 5. That it shall be unlawful for aliens of the following classes to immigrate into the United States, namely, persons who are undergoing a sentence for conviction in their own country of felonious crimes other than political or growing out of or the result of such political offenses, or whose sentence has been remitted on condition of their emigration, and women 'imported for the purposes of prostitution.' Every vessel arriving in the United States may be inspected under the direction of the collector of the port at which it arrives, if he shall have reason to believe that any such obnoxious persons are on board; and the officer making such inspection shall certify the result thereof to the master or other person in charge of such vessel, designating in such certificate the person or persons, if any there be, ascertained by him to be of either of the classes whose importation is hereby forbidden. When such inspection is required by the collector as aforesaid, it shall be unlawful, without his permission, for any alien to leave any such vessel arriving in the United States from a foreign country until the inspection shall have been had and the result certified as herein provided; and at no time thereafter shall any alien certified to by the inspecting officer as being of either of the classes whose immigation is forbidden by this section be allowed to land in the United States, except in obedience to a judicial process issued pursuant to law. If any person shall feel aggrieved by the certificate of such inspecting officer stating him or her to be within either of the classes whose immigration is forbidden by this section, and shall apply for release or other remedy to any proper court or judge, then it shall be the duty of the collector at said port of entry to detain said vessel until a hearing and determination of the matter are had, to the end that if the said inspector shall be found to be in accordance with this section, and sustained, the obnoxious person or persons shall be returned on board of said vessel, and shall not thereafter be permitted to land, unless the master, owner, or consignee

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of the vessel shall give bond and security, to be approved by the court or judge hearing the cause, in the sum of five hundred dollars for each such person permitted to land, conditioned for the return of such person, within six months from the date thereof, to the country whence his or her emigration shall have taken place, or unless the vessel bringing such obnoxious person or persons shall be forfeited, in which event the proceeds of such forfeiture shall be paid over to the collector of the port of arrival, and applied by him, as far as necessary, to the return of such person or persons to his or her own country within the said period of six months. And for all violations of this act, the vessel, by the acts, omissions, or connivance of the owners, master, or other custodian, or the consignees of which the same are committed, shall be liable to forfeiture, and may be proceeded against as in cases of frauds against the revenue laws, for which forfeiture is prescribed by existing law."

Approved, March 3, 1875.

AN ACT to regulate immigration.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there shall be levied, collected, and paid a duty of fifty cents for each and every passenger not a citizen of the United States who shall come by steam or sail vessel from a foreign port to any port within the United States. The said duty shall be paid to the collector of customs of the port to which such passenger shall come, or if there be no collector at such port, then to the collector of customs nearest thereto, by the master, owner, agent, or consignee of every such vessel, within twenty-four hours after the entry thereof into such port. The money thus collected shall be paid into the United States Treasury and shall constitute a fund to be called the immigrant fund and shall be used, under the direction of the Secretary of the Treasury [Secretary of Commerce and Labor], to defray the expense of regulating immigration under this act and for the care of immigrants arriving in the United States, for the relief of such as are in distress, and for the general purposes and expenses of carrying this act into effect. The duty imposed by this section shall be a lien upon the vessels which shall bring such passengers into the United States, and shall be a debt in favor of the United States against the owner or owners of such vessels, and the payment of such duty may be enforced by any legal or equitable remedy: *Provided*, That no greater sum shall be expended for the purposes hereinbefore mentioned, at any port, than shall have been collected at such port.

SEC. 2. That the Secretary of the Treasury [Secretary of Commerce and Labor] is hereby charged with the duty of executing the provisions of this act and with supervision over the business of immigration to the United States, and for that purpose he shall have power to enter into contracts with such State commission, board, or officers as may be designated for that purpose by the governor of any State to take charge of the local affairs of immigration in the ports within said State, and to provide for the support and relief of such immigrants therein landing as may fall into distress or need public aid, under the rules and regulations to be prescribed by said Secretary; and it shall be the duty of such State commission, board, or officers so designated to examine into the condition of passengers arriving at the ports within

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such State in any ship or vessel, and for that purpose all or any of such commissioners, or officers or such other person or persons as they shall appoint, shall be authorized to go on board of and through any such ship or vessel; and if on such examination there shall be found among such passengers any convict, lunatic, idiot, or any person unable to take care of himself or herself without becoming a public charge, they shall report the same in writing to the collector of such port, and such person shall not be permitted to land.

SEC. 3. That the Secretary of the Treasury [Secretary of Commerce and Labor] shall establish such regulations and rules and issue from time to time such instructions, not inconsistent with law, as he shall deem best calculated to protect the United States and immigrants into the United States from fraud and loss and for carrying out the provisions of this act and the immigration laws of the United States; and he shall prescribe all forms of bonds, entries, and other papers to be used under and in the enforcement of the various provisions of this act.

SEC. 4. That all foreign convicts, except those convicted of political offenses, upon arrival, shall be sent back to the nations to which they belong and from whence they came. The Secretary of the Treasury [Secretary of Commerce and Labor] may designate the State board of charities of any State in which such board shall exist by law, or any commission in any State, or any person or persons in any State whose duty it shall be to execute the provisions of this section without compensation. The Secretary of the Treasury [Secretary of Commerce and Labor] shall prescribe regulations for the return of the aforesaid persons to the countries from whence they came and shall furnish instructions to the board, commission, or persons charged with the execution of the provisions of this section as to the mode of procedure in respect thereto, and may change such instructions from time to time. The expense of such return of the aforesaid persons not permitted to land shall be borne by the owners of the vessel in which they came.

SEC. 5. That this act shall take effect immediately.

Approved August 3, 1882.

AN ACT to remove certain burdens on the American merchant marine and encourage the American foreign carrying trade, and for other purposes, approved June 26, 1884.

SEC. 22. That until the provisions of section one, chapter three hundred and seventy-six, of the laws of eighteen hundred and eighty-two, shall be made applicable to passengers coming into the United States by land carriage, said provisions shall not apply to passengers coming by vessels employed exclusively in the trade between the ports of the United States and the ports of the Dominion of Canada or the ports of Mexico.

ACT OF FEBRUARY 26, 1885.

ORIGINAL ACT.

AN ACT to prohibit the importation and immigration of foreigners and aliens under contract or agreement to perform labor in the United States, its Territories, and the District of Columbia.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That from and after

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the passage of this act it shall be unlawful for any person, company, partnership, or corporation, in any manner whatsoever, to prepay the transportation, or in any way assist or encourage the importation or migration of any alien or aliens, any foreigner or foreigners, into the United States, its Territories, or the District of Columbia, under contract or agreement, parol or special, express or implied, made previous to the importation or migration of such alien or aliens, foreigner or foreigners, to perform labor or service of any kind in the United States, its Territories, or the District of Columbia.

SEC. 2. That all contracts or agreements, express or implied, parol or special, which may hereafter be made by and between any person, company, partnership, or corporation, and any foreigner or foreigners, alien or aliens, to perform labor or service or having reference to the performance of labor or service by any person in the United States, its Territories, or the District of Columbia, previous to the migration or importation of the person or persons whose labor or service is contracted for into the United States, shall be utterly void and of no effect.

SEC. 3. That for every violation of any of the provisions of section one of this act the person, partnership, company, or corporation violating the same, by knowingly assisting, encouraging or soliciting the migration or importation of any alien or aliens, foreigner or foreigners, into the United States, its Territories, or the District of Columbia, to perform labor or service of any kind under contract or agreement, express or implied, parol or special, with such alien or aliens, foreigner or foreigners, previous to becoming residents or citizens of the United States, shall forfeit and pay for every such offense the sum of one thousand dollars, which may be sued for and recovered by the United States or by any person who shall first bring his action therefor, including any such alien or foreigner who may be a party to any such contract or agreement, as debts of like amount are now recovered in the circuit courts of the United States; the proceeds to be paid into the Treasury of the United States; and separate suits may be brought for each alien or foreigner being a party to such contract or agreement aforesaid. And it shall be the duty of the district attorney of the proper district to prosecute every such suit at the expense of the United States.

SEC. 4. That the master of any vessel who shall knowingly bring within the United States on any such vessel, and land, or permit to be landed, from any foreign port or place, any alien laborer, mechanic, or artisan who, previous to embarkation on such vessel, had entered into contract or agreement, parol or special, express or implied, to perform labor or service in the United States, shall be deemed guilty of a misdemeanor and, on conviction thereof, shall be punished by a fine of not more that five hundred dollars for each and every such alien laborer, mechanic, or artisan so brought as aforesaid, and may also be imprisoned for a term not exceeding six months.

SEC. 5. That nothing in this act shall be so construed as to prevent any citizen or subject of any foreign country temporarily residing in the United States, either in private or official capacity, from engaging, under contract or otherwise, persons not residents or citizens of the United States to act as private secretaries, servants, or domestics for such foreigners temporarily residing in the United States as aforesaid; nor shall this act be so construed as to prevent any person, or persons,

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partnership, or corporation from engaging, under contract or agreement, skilled workmen in foreign countries to perform labor in the United States in or upon any new industry not at present established in the United States: *Provided*, That skilled labor for that purpose can not be otherwise obtained; nor shall the provisions of this act apply to professional actors, artists, lecturers, or singers, nor to persons employed strictly as personal or domestic servants: *Provided*, That nothing in this act shall be construed as prohibiting any individual from assisting any member of his family or any relative or personal friend, to migrate from any foreign country to the United States, for the purpose of settlement here.

SEC. 6. That all laws or parts of laws conflicting herewith be, and the same are hereby, repealed.

Approved February 26, 1885 (23 Stat L., 332).

AMENDATORY ACT.

AN ACT to prohibit the importation and immigration of foreigners and aliens under contract or agreement to perform labor in the United States, the Territories, and the District of Columbia.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That an act to prohibit the importation and immigration of foreigners and aliens under contract or agreement to perform labor in the United States, its Territories, and the District of Columbia, approved February twenty-sixth, eighteen hundred and eighty-five, and to provide for the enforcement thereof, be amended by adding the following:

"SEC. 6. That the Secretary of the Treasury [Secretary of Commerce and Labor] is hereby charged with the duty of executing the provisions of this act, and for that purpose he shall have power to enter into contracts with such State commission, board, or officers as may be designated for that purpose by the governor of any State to take charge of the local affairs of immigration in the ports within said State, under the rules and regulations to be prescribed by said Secretary; and it shall be the duty of such State commission, board, or officers so designated to examine into the condition of passengers arriving at the ports within such State in any ship or vessel, and for that purpose all or any of such commissioners or officers or such other person or persons as they shall appoint shall be authorized to go on board of and through any such ship or vessel; and if in such examination there shall be found among such passengers any person included in the prohibition in this act, they shall report the same in writing to the collector of such port, and such person shall not be permitted to land.

"SEC. 7. That the Secretary of the Treasury [Secretary of Commerce and Labor] shall establish such regulations and rules, and issue from time to time such instructions not inconsistent with law, as he shall deem best calculated for carrying out the provisions of this act; and he shall prescribe all forms of bonds, entries, and other papers to be used under and in the enforcement of the various provisions of this act.

"SEC. 8. That all persons included in the prohibition in this act, upon arrival, shall be sent back to the nations to which they belong and from whence they came. The Secretary of the Treasury [Secre-

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tary of Commerce and Labor] may designate the State board of charities of any State in which such board shall exist by law, or any commission in any State, or any person or persons in any State, whose duty it shall be to execute the provisions of this section and shall be entitled to reasonable compensation therefor to be fixed by regulation prescribed by the Secretary of the Treasury [Secretary of Commerce and Labor]. The Secretary of the Treasury [Secretary of Commerce and Labor] shall prescribe regulations for the return of the aforesaid persons to the countries from whence they came, and shall furnish instructions to the board, commission, or persons charged with the execution of the provisions of this section as to the time of procedure in respect thereto, and may change such instructions from time to time. The expense of such return of the aforesaid persons not permitted to land shall be borne by the owners of the vessels in which they came. And any vessel refusing to pay such expenses shall not thereafter be permitted to land at or clear from any port of the United States. And such expenses shall be a lien on said vessel. That the necessary expense in the execution of this act for the present fiscal year shall be paid out of any money in the Treasury not otherwise appropriated.

"SEC. 9 That all acts and parts of acts inconsistent with this act are hereby repealed.

"SEC. 10. That this act shall take effect at the expiration of thirty days after its passage."

Approved, February 23, 1887 (24 Stat. L., 414).

AMENDMENT TO THE ALIEN CONTRACT-LABOR LAW CONTAINED IN THE DEFICIENCY BILL APPROVED OCTOBER 19, 1888 (25 STAT. L., 565).

That the act approved February twenty-third, eighteen hundred and eighty-seven, entitled "An act to amend an act to prohibit the importation and immigration of foreigners and aliens under contract or agreement to perform labor in the United States, its Territories, and the District of Columbia," be, and the same is hereby, so amended as to authorize the Secretary of the Treasury [Secretary of Commerce and Labor], in case that he shall be satisfied that an immigrant has been allowed to land contrary to the prohibition of that law, to cause such immigrant, within the period of one year after landing or entry, to be taken into custody and returned to the country from whence he came, at the expense of the owner of the importing vessel; or, if he entered from an adjoining country, at the expense of the person previously contracting for the services.

ACT OF MARCH 3, 1891.

AN ACT in amendment to the various acts relative to immigration and the importation of aliens under contract or agreement to perform labor.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following classes of aliens shall be excluded from admission into the United States, in accordance with the existing acts regulating immigration, other than those concerning Chinese laborers: All idiots, insane per-

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sons, paupers or persons likely to become a public charge, persons suffering from a loathsome or a dangerous contagious disease, persons who have been convicted of a felony or other infamous crime or misdemeanor involving moral turpitude, polygamists, and also any person whose ticket or passage is paid for with the money of another or who is assisted by others to come, unless it is affirmatively and satisfactorily shown on special inquiry that such person does not belong to one of the foregoing excluded classes, or to the class of contract laborers excluded by the act of February twenty-sixth, eighteen hundred and eighty-five, but this section shall not be held to exclude persons living in the United States from sending for a relative or a friend who is not of the excluded classes under such regulations as the Secretary of the Treasury [Secretary of Commerce and Labor] may prescribe: *Provided*, That nothing in this act shall be construed to apply to or exclude persons convicted of a political offense, notwithstanding said political offense may be designated as a "felony, crime, infamous crime, or misdemeanor, involving moral turpitude" by the laws of the land whence he came or by the court convicting.

SEC. 2. That no suit or proceeding for violations of said act of February twenty-sixth, eighteen hundred and eighty-five, prohibiting the importation and migration of foreigners under contract or agreement to perform labor shall be settled, compromised, or discontinued without the consent of the court entered of record with reasons therefor.

SEC. 3. That it shall be deemed a violation of said act of February twenty-sixth, eighteen hundred and eighty-five, to assist or encourage the importation or migration of any alien by promise of employment through advertisements printed and published in any foreign country; and any alien coming to this country in consequence of such an advertisement shall be treated as coming under a contract as contemplated by such act; and the penalties by said act imposed shall be applicable in such a case: *Provided*, This section shall not apply to States and immigration bureaus of States advertising the inducements they offer for immigration to such States.

SEC. 4. That no steamship or transportation company or owners of vessels shall directly or through agents, either by writing, printing, or oral representations, solicit, invite, or encourage the immigration of any alien into the United States except by ordinary commercial letters, circulars, advertisements, or oral representations, stating the sailings of their vessels and the terms and facilities of transportation therein; and for a violation of this provision any such steamship or transportation company, and any such owners of vessels, and the agents by them employed, shall be subjected to the penalties imposed by the third section of said act of February twenty-sixth, eighteen hundred and eighty-five, for violations of the provisions of the first section of said act.

SEC. 5. That section five of said act of February twenty-sixth, eighteen hundred and eighty-five, shall be, and hereby is, amended by adding to the second proviso in said section the words "nor to ministers of any religious denomination, nor persons belonging to any recognized profession, nor professors for colleges and seminaries," and by excluding from the second proviso of said section the words "or any relative or personal friend."

SEC. 6. That any person who shall bring into or land in the United States by vessel or otherwise, or who shall aid to bring into or land in the United States by vessel or otherwise, any alien not lawfully entitled to enter the United States shall be deemed guilty of a misdemeanor, and

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shall, on conviction, be punished by a fine not exceeding one thousand dollars, or by imprisonment for a term not exceeding one year, or by both such fine and imprisonment.

SEC. 7. That the office of superintendent of immigration is hereby created and established, and the President, by and with the advice and consent of the Senate, is authorized and directed to appoint such officer, whose salary shall be four thousand dollars per annum, payable monthly. The superintendent of immigration shall be an officer in the Treasury Department, under the control and supervision of the Secretary of the Treasury [Secretary of Commerce and Labor], to whom he shall make annual reports in writing of the transactions of his office, together with such special reports, in writing, as the Secretary of the Treasury [Secretary of Commerce and Labor] shall require. The Secretary shall provide the superintendent with a suitably furnished office in the city of Washington, and with such books of record and facilities for the discharge of the duties of his office as may be necessary. He shall have a chief clerk at a salary of two thousand dollars per annum, and two first-class clerks.

SEC. 8. That upon the arrival by water at any place within the United States of any alien immigrants it shall be the duty of the commanding officer and the agents of the steam or sailing vessel by which they came to report the name, nationality, last residence, and destination of every such alien, before any of them are landed, to the proper inspection officers, who shall thereupon go or send competent assistants on board such vessel and there inspect all such aliens, or the inspection officers may order a temporary removal of such aliens for examination at a designated time and place, and then and there detain them until a thorough inspection is made. But such a removal shall not be considered a landing during the pendency of such examination. The medical examination shall be made by surgeons of the Marine-Hospital Service. In cases where the services of a marine-hospital surgeon can not be obtained without causing unreasonable delay, the inspector may cause an alien to be examined by a civil surgeon and the Secretary of the Treasury [Secretary of Commerce and Labor] shall fix the compensation for such examination. The inspection officers and their assistants shall have power to administer oaths, and to take and consider testimony touching the right of such aliens to enter the United States, all of which shall be entered of record. During such inspection after temporary removal the superintendent shall cause such aliens to be properly housed, fed, and cared for, and also, in his discretion, such as are delayed in proceeding to their destination after inspection. All decisions made by the inspection officers or their assistants touching the right of any alien to land, when adverse to such right, shall be final unless appeal be taken to the superintendent of immigration, whose action shall be subject to review by the Secretary of the Treasury [Secretary of Commerce and Labor]. It shall be the duty of the aforesaid officers and agents of such vessel to adopt due precautions to prevent the landing of any alien immigrant at any place or time other than that designated by the inspection officers, and any such officer or agent or person in charge of such vessel who shall either knowingly or negligently land or permit to land any alien immigrant at any place or time other than that designated by the inspection officers, shall be deemed guilty of a misdemeanor and punished by a fine not exceeding one thousand dollars, or by imprisonment for a term not exceeding one year, or by both such fine and imprisonment.

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That the Secretary of the Treasury [Secretary of Commerce and Labor] may prescribe rules for inspection along the borders of Canada, British Columbia, and Mexico, so as not to obstruct or unnecessarily delay, impede, or annoy passengers in ordinary travel between said countries: *Provided*, That not exceeding one inspector shall be appointed for each customs district, and whose salary shall not exceed twelve hundred dollars per year.

All duties imposed and powers conferred by the second section of the act of August third, eighteen hundred and eighty-two, upon State commissions, boards, or officers acting under contract with the Secretary of the Treasury [Secretary of Commerce and Labor] shall be performed and exercised, as occasion may arise, by the inspection officers of the United States.

SEC. 9. That for the preservation of the peace and in order that arrests may be made for crimes under the laws of the States where the various United States immigrant stations are located, the officials in charge of such stations as occasion may require shall admit therein the proper State and municipal officers charged with the enforcement of such laws, and for the purposes of this section the jurisdiction of such officers and of the local courts shall extend over such stations.

SEC. 10. That all aliens who may unlawfully come into the United States shall, if practicable, be immediately sent back on the vessel by which they were brought in. The cost of their maintenance while on land, as well as the expense of the return of such aliens, shall be borne by the owner or owners of the vessel on which such aliens came; and if any master, agent, consignee, or owner of such vessel shall refuse to receive back on board the vessel such aliens, or shall neglect to detain them thereon, or shall refuse or neglect to return them to the port from which they came, or to pay the cost of their maintenance while on land, such master, agent, consignee, or owner shall be deemed guilty of a misdemeanor, and shall be punished by a fine not less than three hundred dollars for each and every offense; and any such vessel shall not have clearance from any port of the United States while any such fine is unpaid.

SEC. 11. That any alien who shall come into the United States in violation of law may be returned as by law provided, at any time within one year thereafter, at the expense of the person or persons, vessel, transportation company, or corporation bringing such alien into the United States, and if that can not be done, then at the expense of the United States, and any alien who becomes a public charge within one year after his arrival in the United States from causes existing prior to his landing therein shall be deemed to have come in violation of law and shall be returned as aforesaid.

SEC. 12. That nothing contained in this act shall be construed to affect any prosecution or other proceeding, criminal or civil, begun under any existing act or any acts hereby amended, but such prosecution or other proceedings, criminal or civil, shall proceed as if this act had not been passed.

SEC. 13. That the circuit and district courts of the United States are hereby invested with full and concurrent jurisdiction of all causes, civil and criminal, arising under any of the provisions of this act, and this act shall go into effect on the first day of April, eighteen hundred and ninety-one.

Approved March 3, 1891.

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AN ACT granting additional quarantine powers and imposing additional duties upon the Marine-Hospital Service.

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SEC. 7. That whenever it shall be shown to the satisfaction of the President that by reason of the existence of cholera, or other infectious or contagious diseases, in a foreign country there is serious danger of the introduction of the same into the United States, and that notwithstanding the quarantine defense this danger is so increased by the introduction of persons or property from such country that a suspension of the right to introduce the same is demanded, in the interest of the public health, the President shall have power to prohibit, in whole or in part, the introduction of persons and property from such countries or places as he shall designate and for such period of time as he may deem necessary.

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Act approved February 15, 1893 (27 Stat. L., p. 449).

ACT OF MARCH 3, 1893.

AN ACT to facilitate the enforcement of the immigration and contract-labor laws of the United States.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, in addition to conforming to all present requirements of law, upon the arrival of any alien immigrants by water at any port within the United States, it shall be the duty of the master or commanding officer of the steamer or sailing vessel having said immigrants on board to deliver to the proper inspector of immigration at the port lists or manifests made at the time and place of embarkation of such alien immigrants on board such steamer or vessel, which shall, in answer to questions at the top of said lists, state as to each immigrant the full name, age, and sex, whether married or single; the calling or occupation; whether able to read or write; the nationality; the last residence; the seaport for landing in the United States; the final destination, if any, beyond the seaport of landing; whether having a ticket through to such final destination; whether the immigrant has paid his own passage, or whether it has been paid by other persons or by any corporation, society, municipality, or government; whether in possession of money, and if so, whether upward of thirty dollars and how much if thirty dollars or less; whether going to join a relative, and if so, what relative and his name and address; whether ever before in the United States, and if so, when and where; whether ever in prison or almshouse or supported by charity; whether a polygamist; whether under contract, express or implied, to perform labor in the United States; and what is the immigrant's condition of health mentally and physically, and whether deformed or crippled, and if so, from what cause.

SEC. 2. That the immigrants shall be listed in convenient groups

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and no one list or manifest shall contain more than thirty names. To each immigrant or head of a family shall be given a ticket on which shall be written his name, a number or letter designating the list, and his number on the list, for convenience of identification on arrival. Each list or manifest shall be verified by the signature and the oath or affirmation of the master or commanding officer or of the officer first or second below him in command, taken before the United States consul or consular agent at the port of departure, before the sailing of said vessel, to the effect that he has made a personal examination of each and all of the passengers named therein, and that he has caused the surgeon of said vessel sailing therewith to make a physical examination of each of said passengers, and that from his personal inspection and the report of said surgeon he believes that no one of said passengers is an idiot or insane person, or a pauper or likely to become a public charge, or suffering from a loathsome or dangerous contagious disease, or a person who has been convicted of a felony or other infamous crime or misdemeanor involving moral turpitude, or a polygamist, or under a contract or agreement, express or implied, to perform labor in the United States, and that also, according to the best of his knowledge and belief, the information in said list or manifest concerning each of said passengers named therein is correct and true.

SEC. 3. That the surgeon of said vessel sailing therewith shall also sign each of said lists or manifests before the departure of said vessel, and make oath or affirmation in like manner before said consul or consular agent, stating his professional experience and qualifications as a physician and surgeon, and that he has made a personal examination of each of the passengers named therein and that said list or manifest, according to the best of his knowledge and belief, is full, correct, and true in all particulars relative to the mental and physical condition of said passengers. If no surgeon sails with any vessel bringing alien immigrants, the mental and physical examinations and the verifications of the lists or manifests may be made by some competent surgeon employed by the owners of the vessel.

SEC. 4. That in the case of the failure of said master or commanding officer of said vessel to deliver to the said inspector of immigration lists or manifests, verified as aforesaid, containing the information above required as to all alien immigrants on board, there shall be paid to the collector of customs at the port of arrival the sum of ten dollars for each immigrant qualified to enter the United States concerning whom the above information is not contained in any list as aforesaid, or said immigrants shall not be permitted so to enter the United States, but shall be returned like other excluded persons.

SEC. 5. That it shall be the duty of every inspector of arriving alien immigrants to detain for a special inquiry, under section one of the immigration act of March third, eighteen hundred and ninety-one, every person who may not appear to him to be clearly and beyond doubt entitled to admission, and all special inquiries shall be conducted by not less than four officials acting as inspectors, to be designated in writing by the Secretary of the Treasury [Secretary of Commerce and Labor], or the superintendent of immigration, for conducting special inquiries; and no immigrant shall be admitted on special inquiry except after a favorable decision made by at least three of said inspect-

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ors; and any decision to admit shall be subject to appeal by any dissenting inspector to the superintendent of immigration, whose action shall be subject to review by the Secretary of the Treasury [Secretary of Commerce and Labor], as provided in section eight of said immigration act of March third, eighteen hundred and ninety-one.

SEC. 6. That section five of the act of March third, eighteen hundred and ninety-one, "in amendment of the various acts relative to immigration and the importation of aliens under contract or agreement to perform labor," is hereby amended by striking out the words "second proviso" where they first occur in said section and inserting the words "first proviso" in their place; and section eight of said act is hereby so amended that the medical examinations of arriving immigrants to be made by surgeons of the Marine-Hospital Service may be made by any regular medical officers of such Marine-Hospital Service detailed therefor by the Secretary of the Treasury; and civil surgeons shall only be employed temporarily from time to time for specific emergencies.

SEC. 7. That no bond or guaranty, written or oral, that an alien immigrant shall not become a public charge shall be received from any person, company, corporation, charitable or benevolent society or association, unless authority to receive the same shall in each special case be given by the superintendent of immigration, with the written approval of the Secretary of the Treasury [Secretary of Commerce and Labor].

SEC. 8. That all steamship or transportation companies, and other owners of vessels, regularly engaged in transporting alien immigrants to the United States, shall twice a year file a certificate with the Secretary of the Treasury [Secretary of Commerce and Labor] that they have furnished to be kept conspicuously exposed to view in the office of each of their agents in foreign countries authorized to sell emigrant tickets, a copy of the law of March third, eighteen hundred and ninety-one, and of all subsequent laws of this country relative to immigration, printed in large letters, in the language of the country where the copy of the law is to be exposed to view, and that they have instructed their agents to call the attention thereto of persons contemplating emigration before selling tickets to them; and in case of the failure for sixty days of any such company or any such owners to file such a certificate, or in case they file a false certificate, they shall pay a fine of not exceeding five hundred dollars, to be recovered in the proper United States court, and said fine shall also be a lien upon any vessel of said company or owners found within the United States.

SEC. 9. That after the first day of January, eighteen hundred and ninety-three, all exclusive privileges of exchanging money, transporting passengers or baggage, or keeping eating houses, and all other like privileges in connection with the Ellis Island immigrant station, shall be disposed of after public competition, subject to such conditions and limitations as the Secretary of the Treasury [Secretary of Commerce and Labor] may prescribe.

SEC. 10. That this act shall not apply to Chinese persons; and shall take effect as to vessels departing from foreign ports for ports within the United States after sixty days from the passage of this act.

Approved, March 3, 1893.

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AN ACT making appropriations for sundry civil expenses of the Government for the fiscal year ending June thirtieth, eighteen hundred and ninety-five, and for other purposes.

Be it enacted, etc.,

* * * * * * *

In every case where an alien is excluded from admission into the United States under any law or treaty now existing or hereafter made, the decision of the appropriate immigration or customs officers, if adverse to the admission of such alien, shall be final, unless reversed on appeal to the Secretary of the Treasury [Secretary of Commerce and Labor].

* * * * * * *

"The head money from alien passengers on and after the first day of October next, collected under the act of August third, eighteen hundred and eighty-two, to regulate immigration, shall be one dollar in lieu of the fifty cents as provided in said act. That such head money and all other receipts which shall be collected on and after July first, eighteen hundred and ninety-five, in connection with immigration shall be covered into the Treasury. * * *

"The commissioners of immigration at the several ports shall be appointed by the President, by and with the advice and consent of the Senate, to hold their offices for the term of four years, unless sooner removed, and until their successors are appointed; and nominations for such offices shall be made to the Senate by the President as soon as practicable after the passage of this act."

Approved, August 18, 1894.

AN ACT making appropriations for the legislative, executive, and judicial expenses of the Government for the fiscal year ending June 30, 1896, and for other purposes, approved March 2, 1895, under the head "Bureau of Immigration," provides:

That the Superintendent of Immigration shall hereafter be designated as Commissioner-General of Immigration, and, in addition to his other duties, shall have charge, under the Secretary of the Treasury [Secretary of Commerce and Labor], of the administration of the alien contract-labor laws, etc.

ACT OF JUNE 6, 1900.

AN ACT making appropriations for sundry civil expenses of the Government for the fiscal year ending June thirtieth, nineteen hundred and one, and for other purposes.

Be it enacted, etc.,

* * * * * * *

* * * and hereafter the Commissioner-General of Immigration, in addition to his other duties, shall have charge of the administration of the Chinese-exclusion law and of the various acts regulating immigration into the United States, its Territories, and the District of Columbia, under the supervision and direction of the Secretary of the Treasury [Secretary of Commerce and Labor].

Approved, June 6, 1900.

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ACT OF APRIL 29, 1902.

AN ACT to prohibit the coming into and to regulate the residence within the United States, its Territories, and all territory under its jurisdiction, and the District of Columbia, of Chinese and persons of Chinese descent.

Be it enacted, etc.,

* * * * * * *

SEC. 3. That nothing in the provisions of this Act or any other Act shall be construed to prevent, hinder, or restrict any foreign exhibitor, representative, or citizen of any foreign nation, or the holder, who is a citizen of any foreign nation, of any concession or privilege from any fair or exposition authorized by Act of Congress from bringing into the United States, under contract, such mechanics, artisans, agents, or other employees, natives of their respective foreign countries, as they or any of them may deem necessary for the purpose of making preparation for installing or conducting their exhibits or of preparing for installing or conducting any business authorized or permitted under or by virtue of or pertaining to any concession or privilege which may have been or may be granted by any said fair or exposition in connection with such exposition, under such rules and regulations as the Secretary of the Treasury [Secretary of Commerce and Labor] may prescribe, both as to the admission and return of such person or persons.

* * * * * * *

Approved, April 29, 1902 (32 Stat., part 1, p. 176).

ACT OF MARCH 3, 1903.

AN ACT to regulate the immigration of aliens into the United States.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there shall be levied, collected, and paid a duty of two dollars for each and every passenger not a citizen of the United States, or of the Dominion of Canada,[a] the Republic of Cuba, or of the Republic of Mexico, who shall come by steam, sail, or other vessel from any foreign port to any port within the United States, or by any railway or any other mode of transportation, from foreign contiguous territory to the United States. The said duty shall be paid to the collector of customs of the port or customs district to which said alien passenger shall come, or, if there be no collector at such port or district, then to the collector nearest thereto, by the master, agent, owner, or consignee of every such vessel or transportation line. The money thus collected shall be paid into the United States Treasury and shall constitute a permanent appropriation to be called the "immigrant fund," to be used under the direction of the Secretary of the Treasury [Secretary of Commerce and Labor] to defray the expense of regulating the immigration of aliens into the United States under this Act, including the cost of reports of decisions of the Federal courts, and digests thereof, for the use of the Commissioner-General of Immigration, and the salaries and expenses of all officers, clerks, and employees appointed for the purpose of enforcing the provisions of this Act. The duty imposed by this section shall be a lien upon the vessel which shall bring such aliens to ports of the United States, and shall be a debt in favor of the United States against the owner or owners of such vessels, and the payment of such duty may be enforced

[a] See Act approved March 22, 1904.

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by any legal or equitable remedy; the head tax herein provided for shall not be levied upon aliens in transit through the United States nor upon aliens who have once been admitted into the United States and have paid the head tax who later shall go in transit from one part of the United States to another through foreign contiguous territory: *Provided*, That the Commissioner-General of Immigration, under the direction or with the approval of the Secretary of the Treasury [Secretary of Commerce and Labor], by agreement with transportation lines, as provided in section thirty-two of this Act, may arrange in some other manner for the payment of the duty imposed by this section upon aliens seeking admission overland, either as to all or as to any such aliens.

SEC. 2. That the following classes of aliens shall be excluded from admission into the United States: All idiots, insane persons, epileptics, and persons who have been insane within five years previous; persons who have had two or more attacks of insanity at any time previously; paupers; persons likely to become a public charge; professional beggars; persons afflicted with a loathsome or with a dangerous contagious disease; persons who have been convicted of a felony or other crime or misdemeanor involving moral turpitude; polygamists, anarchists, or persons who believe in or advocate the overthrow by force or violence of the Government of the United States or of all government or of all forms of law, or the assassination of public officials; prostitutes, and persons who procure or attempt to bring in prostitutes or women for the purpose of prostitution; those who have been, within one year from the date of the application for admission to the United States, deported as being under offers, solicitations, promises or agreements to perform labor or service of some kind therein; and also any person whose ticket or passage is paid for with the money of another, or who is assisted by others to come, unless it is affirmatively and satisfactorily shown that such person does not belong to one of the foregoing excluded classes; but this section shall not be held to prevent persons living in the United States from sending for a relative or friend who is not of the foregoing excluded classes: *Provided*, That nothing in this Act shall exclude persons convicted of an offense purely political, not involving moral turpitude: *And provided further*, That skilled labor may be imported, if labor of like kind unemployed can not be found in this country: *And provided further*, That the provisions of this law applicable to contract labor shall not be held to exclude professional actors, artists, lecturers, singers, ministers of any religious denomination, professors for colleges or seminaries, persons belonging to any recognized learned profession, or persons employed strictly as personal or domestic servants.

SEC. 3. That the importation into the United States of any woman or girl for the purposes of prostitution is hereby forbidden; and whoever shall import or attempt to import any woman or girl into the United States for the purposes of prostitution, or shall hold or attempt to hold, any woman or girl for such purposes in pursuance of such illegal importation shall be deemed guilty of a felony, and, on conviction thereof, shall be imprisoned not less than one nor more than five years and pay a fine not exceeding five thousand dollars.

SEC. 4. That it shall be unlawful for any person, company, partnership, or corporation, in any manner whatsoever, to prepay the transportation or in any way to assist or encourage the importation or

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migration of any alien into the United States, in pursuance of any offer, solicitation, promise, or agreement, parole or special, expressed or implied, made previous to the importation of such alien to perform labor or service of any kind, skilled or unskilled, in the United States.

SEC. 5. That for every violation of any of the provisions of section four of this Act the person, partnership, company, or corporation violating the same, by knowingly assisting, encouraging, or soliciting the migration or importation of any alien to the United States to perform labor or service of any kind by reason of any offer, solicitation, promise, or agreement, express or implied, parole or special, to or with such alien shall forfeit and pay for every such offense the sum of one thousand dollars, which may be sued for and recovered by the United States, or by any person who shall first bring his action therefor in his own name and for his own benefit, including any such alien thus promised labor or service of any kind as aforesaid, as debts of like amount are now recovered in the courts of the United States; and separate suits may be brought for each alien thus promised labor or service of any kind as aforesaid. And it shall be the duty of the district attorney of the proper district to prosecute every such suit when brought by the United States.

SEC. 6. That it shall be unlawful and be deemed a violation of section four of this Act to assist or encourage the importation or migration of any alien by a promise of employment through advertisements printed and published in any foreign country; and any alien coming to this country in consequence of such an advertisement shall be treated as coming under a promise or agreement as contemplated in section two of this Act, and the penalties imposed by section five of this Act shall be applicable to such a case: *Provided*, That this section shall not apply to States or Territories, the District of Columbia, or places subject to the jurisdiction of the United States advertising the inducements they offer for immigration thereto, respectively.

SEC. 7. That no transportation company or owner or owners of vessels or others engaged in transporting aliens into the United States, shall, directly or through agents, either by writing, printing, or oral representations, solicit, invite, or encourage the immigration of any aliens into the United States except by ordinary commercial letters, circulars, advertisements, or oral representations, stating the sailings of their vessels and terms and facilities of transportation therein; and for a violation of this provision any such transportation company and any such owner or owners of vessels, and all others engaged in transporting aliens to the United States, and the agents by them employed, shall be subjected to the penalties imposed by section five of this Act.

SEC. 8. That any person, including the master, agent, owner, or consignee of any vessel, who shall bring into or land in the United States, by vessel or otherwise, or who shall attempt, by himself or through another, to bring into or land in the United States, by vessel or otherwise, any alien not duly admitted by an immigrant inspector, or not lawfully entitled to enter the United States, shall be deemed guilty of a misdemeanor, and shall, on conviction, be punished by a fine not exceeding one thousand dollars for each and every alien so landed or attempted to be landed, or by imprisonment for a term not less than three months nor more than two years, or by both such fine and imprisonment.

SEC. 9. That it shall be unlawful for any person, including any trans-

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portation company other than railway lines entering the United States from foreign contiguous territory, or the owner, master, agent, or consignee of any vessel to bring to the United States any alien afflicted with a loathsome or with a dangerous contagious disease; and if it shall appear to the satisfaction of the Secretary of the Treasury [Secretary of Commerce and Labor] that any alien so brought to the United States was afflicted with such a disease at the time of foreign embarkation, and that the existence of such disease might have been detected by means of a competent medical examination at such time, such person or transportation company or the master, agent, owner, or consignee of any such vessel shall pay to the collector of customs of the customs district in which the port of arrival is located the sum of one hundred dollars for each and every violation of the provisions of this section; and no vessel shall be granted clearance papers while any such fine imposed upon it remains unpaid, nor shall such fine be remitted.

SEC. 10. That the decision of the board of special inquiry, hereinafter provided for, based upon the certificate of the examining medical officer, shall be final as to the rejection of aliens afflicted with a loathsome or with a dangerous contagious disease, or with any mental or physical disability which would bring such aliens within any of the classes excluded from admission to the United States under section two of this Act.

SEC. 11. That upon the certificate of a medical officer of the United States Marine-Hospital Service to the effect that a rejected alien is helpless from sickness, physical disability, or infancy, if such alien is accompanied by another alien whose protection or guardianship is required by such rejected alien, the master, agent, owner, or consignee of the vessel in which such alien and accompanying alien are brought shall be required to return said alien and accompanying alien in the same manner as vessels are required to return other rejected aliens.

SEC. 12. That upon the arrival of any alien by water at any port within the United States it shall be the duty of the master or commanding officer of the steamer, sailing or other vessel, having said alien on board to deliver to the immigration officers at the port of arrival lists or manifests made at the time and place of embarkation of such alien on board such steamer or vessel, which shall, in answer to questions at the top of said lists, state as to each alien the full name, age, and sex; whether married or single; the calling or occupation; whether able to read or write; the nationality; the race; the last residence; the seaport for landing in the United States; the final destination, if any, beyond the port of landing; whether having a ticket through to such final destination; whether the alien has paid his own passage, or whether it has been paid by any other person or by any corporation, society, municipality, or government, and if so, by whom; whether in possession of fifty dollars, and if less, how much; whether going to join a relative or friend, and if so, what relative or friend and his name and complete address; whether ever before in the United States, and if so, when and where; whether ever in prison or almshouse or an institution or hospital for the care and treatment of the insane or supported by charity; whether a polygamist; whether an anarchist; whether coming by reason of any offer, solicitation, promise or agreement, expressed or implied, to perform labor in the United States, and what is the alien's condition of health mental and physical, and whether deformed or cripp'ed, and if so, for how long and from what cause.

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SEC. 13. That all aliens arriving by water at the ports of the United States shall be listed in convenient groups, and no one list or manifest shall contain more than thirty names. To each alien or head of a family shall be given a ticket on which shall be written his name, a number or letter designating the list in which his name, and so forth, is contained, and his number on said list, for convenience of identification on arrival. Each list or manifest shall be verified by the signature and the oath or affirmation of the master or commanding officer or the first or second below him in command, taken before an immigration officer at the port of arrival, to the effect that he has caused the surgeon of said vessel sailing therewith to make a physical and oral examination of each of said aliens, and that from the report of said surgeon and from his own investigation he believes that no one of said aliens is an idiot, or insane person, or a pauper, or is likely to become a public charge, or is suffering from a loathsome or a dangerous contagious disease, or is a person who has been convicted of a felony or other crime or misdemeanor involving moral turpitude, or a polygamist, or an anarchist, or under promise or agreement, express or implied, to perform labor in the United States, or a prostitute, and that also, according to the best of his knowledge and belief, the information in said lists or manifests concerning each of said aliens named therein is correct and true in every respect.

SEC. 14. That the surgeon of said vessel sailing therewith shall also sign each of said lists or manifests and make oath or affirmation in like manner before an immigration officer at the port of arrival, stating his professional experience and qualifications as a physician and surgeon, and that he has made a personal examination of each of the said aliens named therein, and that the said list or manifest, according to the best of his knowledge and belief, is full, correct, and true in all particulars relative to the mental and physical condition of said aliens. If no surgeon sails with any vessel bringing aliens the mental and physical examinations and the verifications of the lists or manifests shall be made by some competent surgeon employed by the owners of the said vessel.

SEC. 15. That in the case of the failure of the master or commanding officer of any vessel to deliver to the said immigration officers lists or manifests of all aliens on board thereof as required in sections twelve, thirteen, and fourteen of this Act, he shall pay to the collector of customs at the port of arrival the sum of ten dollars for each alien concerning whom the above information is not contained in any list as aforesaid.

SEC. 16. That upon the receipt by the immigration officers at any port of arrival of the lists or manifests of aliens provided for in sections twelve, thirteen, and fourteen of this Act it shall be the duty of said officers to go or send competent assistants to the vessels to which said lists or manifests refer and there inspect all such aliens, or said immigration officers may order a temporary removal of such aliens for examination at a designated time and place, but such temporary removal shall not be considered a landing, nor shall it relieve the transportation lines, masters, agents, owners, or consignees of the vessel upon which such aliens are brought to any port of the United States from any of the obligations which, in case such aliens remain on board, would, under the provisions of this Act, bind the said transportation lines, masters, agents, owners, or consignees: *Provided*, That where

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a suitable building is used for the detention and examination of aliens the immigration officials shall there take charge of such aliens, and the transportation companies, masters, agents, owners, and consignees of the vessels bringing such aliens shall be relieved of the responsibility for their detention thereafter until the return of such aliens to their care.

SEC. 17. That the physical and mental examination of all arriving aliens shall be made by medical officers of the United States Marine-Hospital Service, who shall have had at least two years' experience in the practice of their profession since receiving the degree of doctor of medicine and who shall certify for the information of the immigration officers and the boards of special inquiry hereinafter provided for, any and all physical and mental defects or diseases observed by said medical officers in any such alien, or, should medical officers of the United States Marine-Hospital Service be not available, civil surgeons of not less than four years' professional experience may be employed in such emergencies for the said service, upon such terms as may be prescribed by the Commissioner-General of Immigration, under the direction or with the approval of the Secretary of the Treasury [Secretary of Commerce and Labor]. The United States Public Health and Marine-Hospital Service shall be reimbursed by the Immigration Service for all expenditures incurred in carrying out the medical inspection of aliens under regulations of the Secretary of the Treasury [Secretary of Commerce and Labor].

SEC. 18. That it shall be the duty of the owners, officers and agents of any vessel bringing an alien to the United States to adopt due precautions to prevent the landing of any such alien from such vessel at any time or place other than that designated by the immigration officers, and any such owner, officer, agent, or person in charge of such vessel who shall land or permit to land any alien at any time or place other than that designated by the immigration officers, shall be deemed guilty of a misdemeanor, and shall on conviction be punished by a fine for each alien so permitted to land of not less than one hundred nor more than one thousand dollars, or by imprisonment for a term not exceeding one year, or by both such fine and imprisonment, and every such alien so landed shall be deemed to be unlawfully in the United States and shall be deported, as provided by law.

SEC. 19. That all aliens brought into this country in violation of law shall, if practicable, be immediately sent back to the countries whence they respectively came on the vessels bringing them. The cost of their maintenance while on land, as well as the expense of the return of such aliens, shall be borne by the owner or owners of the vessels on which they respectively came; and if any master, person in charge, agent, owner, or consignee of any such vessels shall refuse to receive back on board thereof, or of any other vessel owned by the same interest, such aliens, or shall neglect to detain them thereon, or shall refuse or neglect to return them to the foreign port from which they came, or to pay the cost of their maintenance while on land, such master, person in charge, agent, owner, or consignee shall be deemed guilty of a misdemeanor and shall, on conviction, be punished by a fine not less than three hundred dollars for each and every such offense; and no vessel shall have clearance from any port of the United States while any such fine is unpaid: *Provided*, That the Commissioner-General of Immigration, under the direction or with the approval of the Secretary of the Treasury [Secretary of Commerce and Labor], may suspend, upon conditions to be prescribed by the Commissioner-

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General, the deportation of any alien found to have come under promise or agreement of labor or service of any kind if, in his judgment, the testimony of such alien is necessary on behalf of the United States Government in the prosecution of offenders against the provisions of sections four and five of this Act: *Provided*, That the cost of maintenance of any person so detained resulting from such suspension of deportation shall be paid from the "immigrant fund," but no alien certified, as provided in section seventeen of this Act, to be suffering with a loathsome or with a dangerous contagious disease other than one of a quarantinable nature, shall be permitted to land for medical treatment thereof in the hospitals of the United States.

SEC. 20. That any alien who shall come into the United States in violation of law, or who shall be found a public charge therein, from causes existing prior to landing, shall be deported as hereinafter provided to the country whence he came at any time within two years after arrival at the expense, including one-half of the cost of inland transportation to the port of deportation, of the person bringing such alien into the United States, or, if that can not be done, then at the expense of the immigrant fund referred to in section one of this Act.

SEC. 21. That in case the Secretary of the Treasury [Secretary of Commerce and Labor] shall be satisfied that an alien has been found in the United States in violation of this Act he shall cause such alien, within the period of three years after landing or entry therein, to be taken into custody and returned to the country whence he came, as provided in section twenty of this Act, or, if that can not be so done, at the expense of the immigrant fund provided for in section one of this Act; and neglect or refusal on the part of the masters, agents, owners, or consignees of vessels to comply with the order of the Secretary of the Treasury [Secretary of Commerce and Labor] to take on board, guard safely, and return to the country whence he came any alien ordered to be deported under the provisions of this section shall be punished by the imposition of the penalties prescribed in section nineteen of this Act.

SEC. 22. That the Commissioner-General of Immigration, in addition to such other duties as may by law be assigned to him, shall, under the direction of the Secretary of the Treasury [Secretary of Commerce and Labor] have charge of the administration of all laws relating to the immigration of aliens into the United States, and shall have the control, direction, and supervision of all officers, clerks, and employees appointed thereunder. He shall establish such rules and regulations, prescribe such forms of bonds, reports, entries, and other papers, and shall issue from time to time such instructions, not inconsistent with law, as he shall deem best calculated for carrying out the provisions of this Act and for protecting the United States and aliens migrating thereto from fraud and loss, and shall have authority to enter into contracts for the support and relief of such aliens as may fall into distress or need public aid; all under the direction or with the approval of the Secretary of the Treasury [Secretary of Commerce and Labor]. And it shall be the duty of the Commissioner-General of Immigration to detail officers of the immigration service from time to time as may be necessary, in his judgment, to secure information as to the number of aliens detained in the penal, reformatory, and charitable institutions (public and private) of the several States and Territories, the District of Columbia, and other territory of the United

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States, and to inform the officers of such institutions of the provisions of law in relation to the deportation of aliens who have become public charges: *Provided*, That the Commissioner-General of Immigration may, with the approval of the Secretary of the Treasury [Secretary of Commerce and Labor], whenever in his judgment such action may be necessary to accomplish the purposes of this Act, detail immigration officers for temporary service in foreign countries.

SEC. 23. That the duties of the commissioners of immigration shall be of an administrative character, to be prescribed in detail by regulations prepared, under the direction or with the approval of the Secretary of the Treasury [Secretary of Commerce and Labor].

SEC. 24. That immigrant inspectors and other immigration officers, clerks, and employees shall hereafter be appointed, and their compensation fixed and raised or decreased from time to time, by the Secretary of the Treasury [Secretary of Commerce and Labor], upon the recommendation of the Commissioner-General of Immigration and in accordance with the provisions of the civil-service Act of January sixteenth, eighteen hundred and eighty-three: *Provided*, That nothing herein contained shall be construed to alter the mode of appointing commissioners of immigration at the several ports of the United States as provided by the sundry civil appropriation Act approved August eighteenth, eighteen hundred and ninety-four, or the official status of such commissioners heretofore appointed. Immigration officers shall have power to administer oaths and to take and consider testimony touching the right of any alien to enter the United States, and, where such action may be necessary, to make a written record of such testimony, and any person to whom such an oath has been administered under the provisions of this Act who shall knowingly or willfully give false testimony or swear to any false statement in any way affecting or in relation to the right of an alien to admission to the United States shall be deemed guilty of perjury and be punished as provided by section fifty-three hundred and ninety-two, United States Revised Statutes. The decision of any such officer, if favorable to the admission of any alien, shall be subject to challenge by any other immigration officer, and such challenge shall operate to take the alien whose right to land is so challenged before a board of special inquiry for its investigation. Every alien who may not appear to the examining immigrant inspector at the port of arrival to be clearly and beyond a doubt entitled to land shall be detained for examination in relation thereto by a board of special inquiry.

SEC. 25. That such boards of special inquiry shall be appointed by the commissioners of immigration at the various ports of arrival as may be necessary for the prompt determination of all cases of aliens detained at such ports under the provisions of law. Such boards shall consist of three members, who shall be selected from such of the immigrant officials in the service as the Commissioner-General of Immigration, with the approval of the Secretary of the Treasury [Secretary of Commerce and Labor], shall from time to time designate as qualified to serve on such boards: *Provided*, That at ports where there are fewer than three immigrant inspectors, the Secretary of the Treasury [Secretary of Commerce and Labor], upon recommendation of the Commissioner-General of Immigration, may designate other United States officials for service on such boards of special inquiry. Such boards shall have authority to determine whether an alien who has

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been duly held shall be allowed to land or be deported. All hearings before boards shall be separate and apart from the public, but the said boards shall keep complete permanent records of their proceedings and of all such testimony as may be produced before them; and the decision of any two members of a board shall prevail and be final, but either the alien or any dissenting member of said board may appeal, through the commissioner of immigration at the port of arrival and the Commissioner-General of Immigration, to the Secretary of the Treasury [Secretary of Commerce and Labor], whose decision shall then be final; and the taking of such appeal shall operate to stay any action in regard to the final disposal of the alien whose case is so appealed until the receipt by the commissioner of immigration at the port of arrival of such decision.

SEC. 26. That no bond or guaranty, written or oral, that an alien shall not become a public charge shall be received from any person, company, corporation, charitable or benevolent society or association unless authority to receive the same shall in each special case be given by the Commissioner-General of Immigration, with the written approval of the Secretary of the Treasury [Secretary of Commerce and Labor].

SEC. 27. That no suit or proceeding for a violation of the provisions of this Act shall be settled, compromised, or discontinued without the consent of the court in which it is pending, entered of record, with the reasons therefor.

SEC. 28. That nothing contained in this Act shall be construed to affect any prosecution or other proceeding, criminal or civil, begun under any existing Act or any Acts hereby amended, but such prosecutions or other proceedings, criminal or civil, shall proceed as if this Act had not been passed.

SEC. 29. That the circuit and district courts of the United States are hereby invested with full and concurrent jurisdiction of all causes, civil and criminal, arising under any of the provisions of this Act.

SEC. 30. That after the first day of January, nineteen hundred and three, all exclusive privileges of exchanging money, transporting passengers or baggage, or keeping eating houses, and all other like privileges in connection with any United States immigration station, shall be disposed of after public competition, subject to such conditions and limitations as the Commissioner-General of Immigration, under the direction or with the approval of the Secretary of the Treasury [Secretary of Commerce and Labor], may prescribe: *Provided*, That no intoxicating liquors shall be sold in any such immigrant station; that all receipts accruing from the disposal of such exclusive privileges as herein provided shall be paid into the United States Treasury to the credit of the immigrant fund provided for in section one of this Act.

SEC. 31. That for the preservation of the peace, and in order that arrests may be made for crimes under the laws of the States and Territories of the United States where the various immigrant stations are located, the officers in charge of such stations, as occasion may require, shall admit therein the proper State and municipal officers charged with the enforcement of such laws, and for the purposes of this section the jurisdiction of such officers and of the local courts shall extend over such stations.

SEC. 32. That the Commissioner-General of Immigration, under the direction or with the approval of the Secretary of the Treasury [Secretary of Commerce and Labor], shall prescribe rules for the entry and

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inspection of aliens along the borders of Canada and Mexico, so as not to unnecessarily delay, impede, or annoy passengers in ordinary travel between the United States and said countries, and shall have power to enter into contracts with foreign transportation lines for the same purpose.

SEC. 33. That for the purposes of this Act the words "United States" as used in the title as well as in the various sections of this Act shall be construed to mean the United States and any waters, territory or other place now subject to the jurisdiction thereof.

SEC. 34. That no intoxicating liquors of any character shall be sold within the limits of the Capitol building of the United States.

SEC. 35. That the deportation of aliens arrested within the United States after entry and found to be illegally therein, provided for in this act, shall be to the trans-Atlantic or trans-Pacific ports from which said aliens embarked for the United States; or, if such embarkation was for foreign contiguous territory, to the foreign port at which said aliens embarked for such territory.

SEC. 36. That all Acts and parts of Acts inconsistent with this Act are hereby repealed: *Provided*, That this Act shall not be construed to repeal, alter, or amend existing laws relating to the immigration, or exclusion of Chinese persons or persons of Chinese descent.

SEC. 37. That whenever an alien shall have taken up his permanent residence in this country, and shall have filed his preliminary declaration to become a citizen, and thereafter shall send for his wife or minor children to join him, if said wife, or either of said children, shall be found to be affected with any contagious disorder, and if it is proved that said disorder was contracted on board the ship in which they came, and is so certified by the examining surgeon at the port of arrival, such wife or children shall be held, under such regulations as the Secretary of the Treasury [Secretary of Commerce and Labor] shall prescribe, until it shall be determined whether the disorder will be easily curable, or whether they can be permitted to land without danger to other persons; and they shall not be deported until such facts have been ascertained.

SEC. 38. That no person who disbelieves in or who is opposed to all organized government, or who is a member of or affiliated with any organization entertaining and teaching such disbelief in or opposition to all organized government, or who advocates or teaches the duty, necessity, or propriety of the unlawful assaulting or killing of any officer or officers, either of specific individuals or of officers generally, of the Government of the United States or of any other organized government, because of his or their official character, shall be permitted to enter the United States or any Territory or place subject to the jurisdiction thereof. This section shall be enforced by the Secretary of the Treasury [Secretary of Commerce and Labor] under such rules and regulations as he shall prescribe.

That any person who knowingly aids or assists any such person to enter the United States or any Territory or place subject to the jurisdiction thereof, or who connives or conspires with any person or persons to allow, procure, or permit any such person to enter therein, except pursuant to such rules and regulations made by the Secretary of the Treasury [Secretary of Commerce and Labor], shall be fined not more than five thousand dollars, or imprisoned for not less than one nor more than five years, or both.

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SEC. 39. That no person who disbelieves in or who is opposed to all organized government, or who is a member of or affiliated with any organization entertaining and teaching such disbelief in or opposition to all organized government, or who advocates or teaches the duty, necessity, or propriety of the unlawful assaulting or killing of any officer or officers, either of specific individuals or of officers generally, of the Government of the United States or of any other organized government, because of his or their official character, or who has violated any of the provisions of this Act, shall be naturalized or be made a citizen of the United States. All courts and tribunals and all judges and officers thereof having jurisdiction of naturalization proceedings or duties to perform in regard thereto shall, on the final application for naturalization, make careful inquiry into such matters, and before issuing the final order or certificate of naturalization cause to be entered of record the affidavit of the applicant and of his witnesses as applicable, reciting and affirming the truth of every materia. equisite for naturalization. All final orders and certificates of na. ization hereafter made shall show on their face specifically that said ffidavits were duly made and recorded, and all orders and certificates that fail to show such facts shall be null and void.

That any person who purposely procures naturalization in violation of the provisions of this section shall be fined not more than five thousand dollars, or shall be imprisoned not less than one nor more than ten years, or both, and the court in which such conviction is had shall thereupon adjudge and declare the order or decree and all certificates admitting such person to citizenship null and void. Jurisdiction is hereby conferred on the courts having jurisdiction of the trial of such offense to make such adjudication.

That any person who knowingly aids, advises, or encourages any such person to apply for or to secure naturalization or to file the preliminary papers declaring an intent to become a citizen of the United States, or who in any naturalization proceeding knowingly procures or gives false testimony as to any material fact, or who knowingly makes an affidavit false as to any material fact required to be proved in such proceeding, shall be fined not more than five thousand dollars, or imprisoned not less than one nor more than ten years, or both.

The foregoing provisions concerning naturalization shall not be enforced until ninety days after the approval hereof.

Approved, March 3, 1903.

AN ACT to establish the Department of Commerce and Labor.

* * * * * * *

SEC. 2. That there shall be in said Department an Assistant Secretary of Commerce and Labor, to be appointed by the President, who shall receive a salary of five thousand dollars a year. He shall perform such duties as shall be prescribed by the Secretary or required by law. There shall also be one chief clerk and a disbursing clerk and such other clerical assistants as may from time to time be authorized by Congress; and the Auditor for the State and other Departments shall receive and examine all accounts of salaries and incidental expenses of the office of the Secretary of Commerce and Labor, and of all bureaus and offices under his direction, all accounts relating to the Light-House Board, Steamboat-Inspection Service, Immigration, Navigation,

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Alaskan fur-seal fisheries, the National Bureau of Standards, Coast and Geodetic Survey, Census, Department of Labor, Fish Commission and to all other business within the jurisdiction of the Department of Commerce and Labor, and certify the balances arising thereon to the Division of Bookkeeping and Warrants and send forthwith a copy of each certificate to the Secretary of Commerce and Labor.

* * * * * * *

SEC. 4. That the following-named offices, bureaus, divisions, and branches of the public service, now and heretofore under the jurisdiction of the Department of the Treasury, and all that pertains to the same, known as the Light-House Board, the Light-House Establishment, the Steamboat-Inspection Service, the Bureau of Navigation, the United States Shipping Commissioners, the National Bureau of Standards, the Coast and Geodetic Survey, the Commissioner-General of Immigration, the commissioners of immigration, the Bureau of Immigration, the immigration service at large, and the Bureau of Statistics, be, and the same hereby are, transferred from the Department of the Treasury to the Department of Commerce and Labor, and the same shall hereafter remain under the jurisdiction and supervision of the last-named Department; * * *.

* * * * * * *

SEC. 7. That the jurisdiction, supervision and control now possessed and exercised by the Department of the Treasury over the fur-seal, salmon and other fisheries of Alaska and over the immigration of aliens into the United States, its waters, territories and any place subject to the jurisdiction thereof, are hereby transferred and vested in the Department of Commerce and Labor: *Provided*, That nothing contained in this Act shall be construed to alter the method of collecting and accounting for the head-tax prescribed by section one of the Act entitled "An Act to regulate immigration," approved August third, eighteen hundred and eighty-two. That the authority, power and jurisdiction now possessed and exercised by the Secretary of the Treasury by virtue of any law in relation to the exclusion from and the residence within the United States, its territories and the District of Columbia, of Chinese and persons of Chinese descent, are hereby transferred to and conferred upon the Secretary of Commerce and Labor, and the authority, power and jurisdiction in relation thereto now vested by law or treaty in the collectors of customs and the collectors of internal revenue, are hereby conferred upon and vested in such officers under the control of the Commissioner-General of Immigration, as the Secretary of Commerce and Labor may designate therefor.

* * * * * * *

SEC. 13. That this Act shall take effect and be in force from and after its passage: *Provided, however*, That the provisions of this Act other than those of section twelve in relation to the transfer of any existing office, bureau, division, officer or other branch of the public service or authority now conferred thereon, to the Department of Commerce and Labor shall take effect and be in force on the first day of July, nineteen hundred and three, and not before.

Approved, February 14, 1903.

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ACT OF MARCH 22, 1904.

AN ACT to extend the exemption from head tax to citizens of Newfoundland entering the United States.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section one, chapter ten hundred and twelve, of the Statutes at Large of the United States of America (Fifty-seventh Congress, second session), is hereby amended by inserting in line four, after the word "Canada," the word "Newfoundland," so as to read as follows:

"That there shall be levied, collected, and paid a duty of two dollars for each and every passenger not a citizen of the United States, or of the Dominion of Canada, Newfoundland, the Republic of Cuba, or of the Republic of Mexico, who shall come by steam, sail, or other vessel from any foreign port to any port within the United States, or by any railway or any other mode of transportation from foreign contiguous territory to the United States. The said duty shall be paid to the collector of customs of the port or customs district to which said alien passenger shall come, or, if there be no collector at such port or district, then to the collector nearest thereto by the master, agent, owner, or consignee of every such vessel or transportation line. The money thus collected shall be paid into the United States Treasury and shall constitute a permanent appropriation to be called the 'immigrant fund,' to be used under the direction of the Secretary of the Treasury [Secretary of Commerce and Labor] to defray the expense of regulating the immigration of aliens into the United States under this Act, including the cost of reports of decisions of the Federal courts, and digests thereof, for the use of the Commissioner-General of Immigration, and the salaries and expenses of all officers, clerks, and employees appointed for the purpose of enforcing the provisions of this Act. The duty imposed by this section shall be a lien upon the vessels which shall bring such aliens to ports of the United States, and shall be a debt in favor of the United States against the owner or owners of such vessels, and the payment of such duty may be enforced by any legal or equitable remedy. The head tax herein provided for shall not be levied upon aliens in transit through the United States nor upon aliens who have once been admitted into the United States and have paid the head tax who later shall go in transit from one part of the United States to another through foreign contiguous territory: *Provided*, That the Commissioner-General of Immigration, under the direction or with the approval of the Secretary of the Treasury [Secretary of Commerce and Labor], by agreement with transportation lines, as provided in section thirty-two of this Act, may arrange in some other manner for the payment of the duty imposed by this section upon aliens seeking admission overland, either as to all or as to any such aliens."

Approved, March 22, 1904 (33 Stat., part 1, page 144).

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JOINT RESOLUTION amending an Act entitled "An Act to regulate the immigration of aliens into the United States," approved March third, nineteen hundred and three.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the words "Secretary of the Treasury" wherever used in the Act entitled "An Act to regulate the immigration of aliens into the United States," approved March third, nineteen hundred and three, or in amendments thereto, or in prior acts in relation to alien immigration, be stricken out, and the words "Secretary of Commerce and Labor" inserted in lieu thereof.

Approved, April 28, 1904 (33 Stat., part 1, p. 591).

AN ACT making appropriations for the legislative, executive, and judicial expenses of the Government for the fiscal year ending June thirtieth, nineteen hundred and six, and for other purposes, approved February 3, 1905, under the head "Bureau of Immigration," provides as follows:

Provided, That the Commissioner-General of Immigration, with the approval of the Secretary of Commerce and Labor, shall have power to refund head tax heretofore and hereafter collected under section one of the immigration Act approved March third, nineteen hundred and three, upon presentation of evidence showing conclusively that such collection was erroneously made.

AN ACT to amend an Act approved July first, nineteen hundred and two, entitled "An Act temporarily to provide for the administration of the affairs of civil government in the Philippine Islands, and for other purposes," and to amend an Act approved March eighth, nineteen hundred and two, entitled "An Act temporarily to provide revenue for the Philippine Islands, and for other purposes," and to amend an Act approved March second, nineteen hundred and three, entitled "An Act to establish a standard of value and to provide for a coinage system in the Philippine Islands," and to provide for the more efficient administration of civil government in the Philippine Islands, and for other purposes.

* * * * * * *

Sec. 6. That the immigration laws of the United States in force in the Philippine Islands shall be administered by the officers of the general government thereof designated by appropriate legislation of said government, and all moneys collected under said laws as duty or head tax on alien immigrants coming into said islands shall not be covered into the general fund of the Treasury of the United States, but shall be paid into the treasury of said islands to be used and expended for the government and benefit of said islands.

* * * * * * *

Approved, February 6, 1905.

AN ACT making appropriations to supply deficiencies in the appropriations for the fiscal year ending June thirtieth, nineteen hundred and five, and for prior years, and for other purposes, approved March third, nineteen hundred and five, under the head "Department of Commerce and Labor," provides as follows:

Provided, That the necessary expenses incident to the detention of aliens ordered deported, whose attendance as witnesses is required in behalf of the United States in prosecutions arising under the immigration laws, may be paid from the permanent appropriation for "Expenses of regulating immigration."

(Supplementing section 19, Act approved March 3, 1903.)

AN ACT making appropriations for sundry civil expenses of the Government for the fiscal year ending June thirtieth, nineteen hundred and six, and for other purposes, approved March third, nineteen hundred and five, provides as follows:

Provided, That the annual subscriptions for publications for use in the immigration service at large may be paid in advance.

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ACT OF JUNE 29, 1906.

(34 Stat., part 1, page 596.)

AN ACT To establish a Bureau of Immigration and Naturalization, and to provide for a uniform rule for the naturalization of aliens throughout the United States.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the designation of the Bureau of Immigration in the Department of Commerce and Labor is hereby changed to the "Bureau of Immigration and Naturalization," which said Bureau, under the direction and control of the Secretary of Commerce and Labor, in addition to the duties now provided by law, shall have charge of all matters concerning the naturalization of aliens. That it shall be the duty of the said Bureau to provide, for use at the various immigration stations throughout the United States, books of record, wherein the commissioners of immigration shall cause a registry to be made in the case of each alien arriving in the United States from and after the passage of this Act of the name, age, occupation, personal description (including height, complexion, color of hair and eyes), the place of birth, the last residence, the intended place of residence in the United States, and the date of arrival of said alien, and, if entered through a port, the name of the vessel in which he comes. And it shall be the duty of said commissioners of immigration to cause to be granted to such alien a certificate of such registry, with the particulars thereof.

* * * * * * *

Approved, June 29, 1906.

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DEPARTMENT OF COMMERCE AND LABOR

BUREAU OF IMMIGRATION AND NATURALIZATION

Immigration Laws

and

Regulations of July 1, 1907

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1907

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DEPARTMENT OF COMMERCE AND LABOR

U. S.– BUREAU OF IMMIGRATION AND NATURALIZATION

Immigration Laws

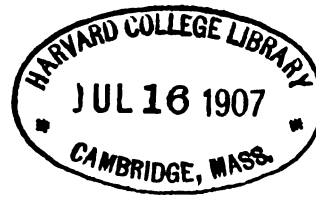
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From the
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DEPARTMENT OF COMMERCE AND LABOR

Document No. 78

BUREAU OF IMMIGRATION AND NATURALIZATION



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IMMIGRATION LAWS AND REGULATIONS.

IMMIGRATION LAWS.

NOTE.—There are incorporated in this pamphlet only such portions of the enactments of Congress regarding immigration prior to the immigration act of February 20, 1907, as are not repealed thereby or reenacted therein. If necessary to refer to the old acts, they may be found in the pamphlets "Immigration Laws and Regulations" heretofore issued, or in the United States Statutes at Large, as follows:

Note as to acts published herein.

List of immigration acts.

Act approved March 3, 1875: 18 Stat., part 3, page 477.
Act approved August 3, 1882: 22 Stat., page 214.
Act approved June 26, 1884 (sec. 22 only): 23 Stat., page 58.
Act approved February 26, 1885: 23 Stat., page 332.
Act approved February 23, 1887: 24 Stat., page 414.
Act approved October 19, 1888: 25 Stat., page 565.
Act approved March 3, 1891: 26 Stat., page 1084.
Act approved February 15, 1893 (sec. 7): 27 Stat., page 449.
Act approved March 3, 1893: 27 Stat., page 569.
Act approved August 18, 1894: 28 Stat., page 390.
Act approved March 2, 1895: 28 Stat., page 780.
Act approved June 6, 1900: 31 Stat., page 611.
Act approved April 29, 1902: 32 Stat., part 1, page 176.
Act approved March 3, 1903: 32 Stat., part 1, page 1213.
Act approved March 22, 1904: 33 Stat., part 1, page 144.
Act approved April 28, 1904: 33 Stat., part 1, page 591.
Act approved February 3, 1905: 33 Stat., part 1, page 684.

ACT OF AUGUST 3, 1882.

AN ACT to regulate immigration.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there shall be levied, collected, and paid a duty of fifty cents for each and every passenger not a citizen of the United States who shall come by steam or sail vessel from a foreign port to any port within the

Head tax: Amount;

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Head tax:

By whom and to whom paid, within 24 hours after arrival;

United States. The said duty shall be paid to the collector of customs of the port to which such passenger shall come, or if there be no collector at such port, then to the collector of customs nearest thereto, by the master, owner, agent, or consignee of every such vessel, within twenty-four hours after the entry thereof into such port.

To constitute Immigrant fund;

The money thus collected shall be paid into the United States Treasury and shall constitute a fund to be called the immigrant fund and shall be used, under the direction of the Secretary of Commerce and Labor, to defray the expense of regulating immigration under this act and for the care of immigrants arriving in the United States, for the relief of such as are in distress, and for the general purposes and expenses of carrying this act into effect.

How collection enforced.

The duty imposed by this section shall be a lien upon the vessels which shall bring such passengers into the United States, and shall be a debt in favor of the United States against the owner or owners of such vessels, and the payment of such duty may be enforced by any legal or equitable remedy: *Provided*, That no greater sum shall be expended for the purposes hereinbefore mentioned, at any port, than shall have been collected at such port.[a]

* * * * *

Approved August 3, 1882 (22 Stat., 214).

ACT OF FEBRUARY 26, 1885.

AN ACT to prohibit the importation and immigration of foreigners and aliens under contract or agreement to perform labor in the United States, its Territories, and the District of Columbia.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, * * *

Contract labor:

Contracts for alien labor declared void.

SEC. 2. That all contracts or agreements, express or implied, parol or special, which may hereafter be made by and between any person, company, partnership, or corporation, and any foreigner or foreigners, alien or aliens, to perform labor or service or having reference to the performance of labor or service by any person in the United States, its Territories, or the District of Columbia, previous to the migration or importation of the person or persons whose labor or service is contracted for into the United States, shall be utterly void and of no effect.[b]

* * * * *

Approved February 26, 1885 (23 Stat., 332).

[a] See section 1, act February 20, 1907, and Rules 1, 2, and 3.

[b] See sections 2, 4, 5, and 6, act February 20, 1907.

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ACT OF MARCH 3, 1891.

AN ACT in amendment to the various acts relative to immigration and the importation of aliens under contract or agreement to perform labor.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, * * *

Superintendent of Immigration:
Office created;
Salary fixed.

SEC. 7. That the office of superintendent of immigration is hereby created and established, and the President, by and with the advice and consent of the Senate, is authorized and directed to appoint such officer, whose salary shall be four thousand dollars per annum, payable monthly. The superintendent of immigration shall be an officer in the Treasury Department, under the control and supervision of the Secretary of Commerce and Labor, to whom he shall make annual reports in writing of the transactions of his office, together with such special reports, in writing, as the Secretary of Commerce and Labor shall require. The Secretary shall provide the superintendent with a suitably furnished office in the city of Washington, and with such books of record and facilities for the discharge of the duties of his office as may be necessary. He shall have a chief clerk at a salary of two thousand dollars per annum, and two first-class clerks.[a]

* * * * *

Approved March 3, 1891 (26 Stat., 1084).

ACT OF FEBRUARY 15, 1893.

AN ACT granting additional quarantine powers and imposing additional duties upon the Marine-Hospital Service.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, * * *

Quarantine:
President given extraordinary power to suspend immigration.

SEC. 7. That whenever it shall be shown to the satisfaction of the President that by reason of the existence of cholera, or other infectious or contagious diseases, in a foreign country there is serious danger of the introduction of the same into the United States, and that notwithstanding the quarantine defense this danger is so increased by the introduction of persons or property from such country that a suspension of the right to introduce the same is demanded, in the interest of the public health, the President shall have power to prohibit, in whole or in part, the introduction of persons and property from such countries or places as he shall designate and for such period of time as he may deem necessary.

* * * * *

Approved February 15, 1893 (27 Stat., 449).

[a] See section 1, act March 2, 1895, and section 22, act February 20, 1907.

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ACT OF MARCH 3, 1893.

AN ACT to facilitate the enforcement of the immigration and contract-labor laws of the United States.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, * * *

Certificates: Required of steamship companies re posting laws in foreign offices; Penalty for failure.

SEC. 8. That all steamship or transportation companies, and other owners of vessels, regularly engaged in transporting alien immigrants to the United States, shall twice a year file a certificate with the Secretary of Commerce and Labor that they have furnished to be kept conspicuously exposed to view in the office of each of their agents in foreign countries authorized to sell emigrant tickets, a copy of the law of March third, eighteen hundred and ninety-one, and of all subsequent laws of this country relative to immigration, printed in large letters, in the language of the country where the copy of the law is to be exposed to view, and that they have instructed their agents to call the attention thereto of persons contemplating emigration before selling tickets to them; and in case of the failure for sixty days of any such company or any such owners to file such a certificate, or in case they file a false certificate, they shall pay a fine of not exceeding five hundred dollars, to be recovered in the proper United States court, and said fine shall also be a lien upon any vessel of said company or owners found within the United States.[a]

* * * * *

Approved March 3, 1893 (27 Stat., 569).

ACT OF AUGUST 18, 1894.

AN ACT making appropriations for sundry civil expenses of the Government for the fiscal year ending June thirtieth, eighteen hundred and ninety-five, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, * * *

Commissioners of immigration: Appointed by President.

The commissioners of immigration at the several ports shall be appointed by the President, by and with the advice and consent of the Senate, to hold their offices for the term of four years, unless sooner removed, and until their successors are appointed; and nominations for such offices shall be made to the Senate by the President as soon as practicable after the passage of this act.[b]

Approved August 18, 1894 (28 Stat., 372).

[a] See Rule 44 for time of filing.

[b] See section 7, act March 3, 1891, and section 22, act February 20, 1907.

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ACT OF MARCH 2, 1895.

AN ACT making appropriations for the legislative, executive, and judicial expenses of the Government for the fiscal year ending June thirtieth, eighteen hundred and ninety-six, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, * * *

BUREAU OF IMMIGRATION.

Commissioner-General: Title created; Administration contract-labor laws placed under;

That the Superintendent of Immigration shall hereafter be designated as Commissioner-General of Immigration, and, in addition to his other duties, shall have charge, under the Secretary of Commerce and Labor, of the administration of the alien contract-labor laws, etc.[a]

Approved March 2, 1895 (28 Stat., 764).

ACT OF JUNE 6, 1900.

AN ACT making appropriations for sundry civil expenses of the Government for the fiscal year ending June thirtieth, nineteen hundred and one, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, * * * and hereafter the Commissioner-General of Immigration, in addition to his other duties, shall have charge of the administration of the Chinese-exclusion law and of the various acts regulating immigration into the United States, its Territories, and the District of Columbia, under the supervision and direction of the Secretary of Commerce and Labor.

Chinese-exclusion laws placed under.

Approved June 6, 1900 (31 Stat., 611).

ACT OF APRIL 29, 1902.

AN ACT to prohibit the coming into and to regulate the residence within the United States, its Territories, and all territory under its jurisdiction, and the District of Columbia, of Chinese and persons of Chinese descent.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, * * *

Fairs and expositions: Exceptions in favor of exhibitors at.

SEC. 3. That nothing in the provisions of this Act or any other Act shall be construed to prevent, hinder, or restrict any foreign exhibitor, representative, or citizen of any foreign nation, or the holder, who is a citizen of

[a] See section 7, act March 3, 1891, and section 22, act February 20, 1907.

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Fairs and expositions:
Exceptions in favor of exhibitors at.

any foreign nation, of any concession or privilege from any fair or exposition authorized by Act of Congress from bringing into the United States, under contract, such mechanics, artisans, agents, or other employees, natives of their respective foreign countries, as they or any of them may deem necessary for the purpose of making preparation for installing or conducting their exhibits or of preparing for installing or conducting any business authorized or permitted under or by virtue of or pertaining to any concession or privilege which may have been or may be granted by any said fair or exposition in connection with such exposition, under such rules and regulations as the Secretary of Commerce and Labor may prescribe, both as to the admission and return of such person or persons.

* * * * *

Approved April 29, 1902 (32 Stat., part 1, p. 176).

ACT OF FEBRUARY 3, 1905.

AN ACT making appropriations for the legislative, executive, and judicial expenses of the Government for the fiscal year ending June thirtieth, nineteen hundred and six, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, * * *

BUREAU OF IMMIGRATION.

* * * * *

Head tax:
Refund of, when erroneously collected.

Provided, That the Commissioner-General of Immigration, with the approval of the Secretary of Commerce and Labor, shall have power to refund head tax heretofore and hereafter collected under section one of the immigration Act approved March third, nineteen hundred and three, upon presentation of evidence showing conclusively that such collection was erroneously made.[a]

Approved February 3, 1905 (33 Stat., part 1, p. 631).

ACT OF FEBRUARY 6, 1905.

AN ACT to amend an Act approved July first, nineteen hundred and two, entitled "An Act temporarily to provide for the administration of the affairs of civil government in the Philippine Islands, and for other purposes," and to amend an Act approved March eighth, nineteen hundred and two, entitled "An Act temporarily to provide revenue for the Philippine Islands, and for other purposes," and to amend an Act approved March second, nineteen hundred and three, entitled "An Act to establish a standard of value and to provide for a coinage system in the Philippine Islands," and to provide for the more efficient administration of civil government in the Philippine Islands, and for other purposes.

[a] See Rules 1 and 41.

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Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, * * *

Philippine Islands:
Enforcement immigration laws therein;
Collection head tax therein.

SEC. 6. That the immigration laws of the United States in force in the Philippine Islands shall be administered by the officers of the general government thereof designated by appropriate legislation of said government, and all moneys collected under said laws as duty or head tax on alien immigrants coming into said islands shall not be covered into the general fund of the Treasury of the United States, but shall be paid into the treasury of said islands to be used and expended for the government and benefit of said islands.

* * * * *

Approved February 6, 1905 (33 Stat., 689).

ACT OF MARCH 3, 1905.

AN ACT making appropriations for sundry civil expenses of the Government for the fiscal year ending June thirtieth, nineteen hundred and six, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, * * *

Subscriptions:
To be paid in advance.

Provided, That the annual subscriptions for publications for use in the immigration service at large may be paid in advance.

Approved March 3, 1905 (33 Stat., part 1, p. 1156).

ACT OF JUNE 29, 1906.

AN ACT to establish a Bureau of Immigration and Naturalization, and to provide for a uniform rule for the naturalization of aliens throughout the United States.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the designation of the Bureau of Immigration in the Department of Commerce and Labor is hereby changed to the "Bureau of Immigration and Naturalization," which said Bureau, under the direction and control of the Secretary of Commerce and Labor, in addition to the duties now provided by law, shall have charge of all matters concerning the naturalization of aliens. That it shall be the duty of the said Bureau to provide, for use at the various immigration stations throughout the United States, books of record, wherein the commissioners of immigration shall cause a registry to be made in the case of each alien arriving in the United States from and after the passage of this Act of the name, age, occupation, personal description (including height, complexion, color of

Bureau of Immigration:
Title changed to Bureau of Immigration and Naturalization.

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hair and eyes), the place of birth, the last residence, the intended place of residence in the United States, and the date of arrival of said alien, and, if entered through a port, the name of the vessel in which he comes. And it shall be the duty of said commissioners of immigration to cause to be granted to such alien a certificate of such registry, with the particulars thereof.[a]

* * * * *

Approved June 29, 1906 (34 Stat., part 1, p. 596).

ACT OF FEBRUARY 20, 1907.

AN ACT to regulate the immigration of aliens into the United States.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there shall be levied, collected, and paid a tax of four dollars for every alien entering the United States.[b] The said tax shall be paid to the collector of customs of the port or customs district to which said alien shall come, or, if there be no collector at such port or district, then to the collector nearest thereto, by the master, agent, owner, or consignee of the vessel, transportation line, or other conveyance or vehicle bringing such alien to the United States. The money thus collected, together with all fines and rentals[c] collected under the laws regulating the immigration of aliens into the United States, shall be paid into the Treasury of the United States, and shall constitute a permanent appropriation to be called the "immigrant fund," to be used under the direction of the Secretary of Commerce and Labor to defray the expense of regulating the immigration of aliens into the United States under said laws, including the contract labor laws, the cost of reports of decisions of the Federal courts, and digest thereof, for the use of the Commissioner-General of Immigration, and the salaries and expenses of all officers, clerks, and employees appointed to enforce said laws. The tax imposed by this section shall be a lien upon the vessel, or other vehicle of carriage or transportation bringing such aliens to the United States, and shall be a debt in favor of the United States against the owner or owners of such vessel, or other vehicle, and the payment of such tax may be enforced by any legal or equitable remedy. That the said tax shall not be levied upon aliens who shall enter

Head tax:

To whom paid;

By whom paid.

Head tax, fines, and rentals, to constitute—

Immigrant fund:

For what used.

Head tax:

To be lien upon vessel;

How payment enforced;

Classes exempted from payment of;

[a] For naturalization laws and regulations drawn thereunder, see pamphlet entitled "Naturalization Laws and Regulations."

[b] For specific exceptions, see Rule 2.

[c] For method of depositing fines and rentals, see Rule 3; for procedure in collecting fines and reporting suits for collection, see Rules 28, 29, and 30.

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the United States after an uninterrupted residence of at least one year, immediately preceding such entrance, in the Dominion of Canada, Newfoundland, the Republic of Cuba, or the Republic of Mexico, nor upon otherwise admissible residents of any possession of the United States, nor upon aliens in transit through the United States, nor upon aliens who have been lawfully admitted to the United States and who later shall go in transit from one part of the United States to another through foreign contiguous territory:[a] *Provided*, That the Commissioner-General of Immigration, under the direction or with the approval of the Secretary of Commerce and Labor, by agreement with transportation lines, as provided in section thirty-two of this Act, may arrange in some other manner for the payment of the tax imposed by this section upon any or all aliens seeking admission from foreign contiguous territory:[b] *Provided further*, That if in any fiscal year the amount of money collected under the provisions of this section shall exceed two million five hundred thousand dollars, the excess above that amount shall not be added to the "immigrant fund:" *Provided further*, That the provisions of this section shall not apply to aliens arriving in Guam, Porto Rico, or Hawaii; but if any such alien, not having become a citizen of the United States, shall later arrive at any port or place of the United States on the North American Continent the provisions of this section shall apply:[c] *Provided further*, That whenever the President shall be satisfied that passports issued by any foreign government to its citizens to go to any country other than the United States or to any insular possession of the United States or to the Canal Zone are being used for the purpose of enabling the holders to come to the continental territory of the United States to the detriment of labor conditions therein, the President may refuse to permit such citizens of the country issuing such passports to enter the continental territory of the United States from such other country or from such insular possessions or from the Canal Zone.[d]

Head tax:

Payment on account aliens from contiguous territory;

No more than $2,500,000 to go into immigrant fund;

Exceptions—Guam, Porto Rico, and Hawaii.

Passports:

If limited and used to detriment labor conditions, holders to be rejected.

SEC. 2. That the following classes of aliens shall be excluded from admission into the United States: All idiots, imbeciles, feeble-minded persons, epileptics, insane persons, and persons who have been insane within five years previous; persons who have had two or more attacks of insanity at any time previously; paupers; persons likely to become a public charge;[e] professional

Excluded classes:

Idiots, insane, etc.;

[a] See paragraph (*f*), Rule 2.
[b] See Rules 2, 25, and 27.
[c] See Rule 2.
[d] For President's proclamation and regulations drawn thereunder, see Rule 21.
[e] For provisions for landing under bond persons likely to become public charges and persons certified for physical defects, see Rule 20.

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Excluded classes: beggars; persons afflicted with tuberculosis or with a loathsome or dangerous contagious disease;[a] persons not comprehended within any of the foregoing excluded classes who are found to be and are certified by the examining surgeon as being mentally or physically defective, such mental or physical defect being of a nature which may affect the ability of such alien to earn a living;[b] persons who have been convicted of or admit having committed a felony or other crime or misdemeanor involving moral turpitude; polygamists, or persons who admit their belief in the practice of polygamy, anarchists, or persons who believe in or advocate the overthrow by force or violence of the Government of the United States, or of all government, or of all forms of law, or the assassination of public officials; prostitutes, or women or girls coming into the United States for the purpose of prostitution or for any other immoral purpose; persons who procure or attempt to bring in prostitutes or women or girls for the purpose of prostitution or for any other immoral purpose; persons hereinafter called contract laborers, who have been induced or solicited to migrate to this country by offers or promises of employment or in consequence of agreements, oral, written or printed, express or implied, to perform labor in this country of any kind, skilled or unskilled; those who have been, within one year from the date of application for admission to the United States, deported as having been induced or solicited to migrate as above described; any person whose ticket or passage is paid for with the money of another, or who is assisted by others to come, unless it is affirmatively and satisfactorily shown that such person does not belong to one of the foregoing excluded classes, and that said ticket or passage was not paid for by any corporation, association, society, municipality, or foreign government, either directly or indirectly; all children under sixteen years of age, unaccompanied by one or both of their parents, at the discretion of the Secretary of Commerce and Labor or under such regulations as he may from time to time prescribe:[c] *Provided*, That nothing in this Act shall exclude, if otherwise admissible, persons convicted of an offense purely political, not involving moral turpitude: *Provided further*, That the provisions of this section relating to the payments for tickets or passage by any corporation, association, society, municipality, or foreign government shall not apply to the tickets or passage of aliens in immediate

Diseased; Mentally or physically defective; Convicts; Polygamists; Anarchists; Prostitutes, etc.; Contract laborers; Assisted; Children under 16; Exceptions— Offenses political; Transits;

[a] For provision for placing in hospital, "with the express permission of the Secretary," persons afflicted with tuberculosis or with a loathsome or dangerous contagious disease, see Rule 10.

[b] For provisions for landing under bond persons likely to become public charges and persons certified for physical defects, see Rule 20.

[c] For regulations, see Rule 5.

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and continuous transit through the United States to foreign contiguous territory: *And provided further*, That skilled labor may be imported if labor of like kind unemployed can not be found in this country: *And provided further*, That the provisions of this law applicable to contract labor shall not be held to exclude professional actors, artists, lecturers, singers, ministers of any religious denomination, professors for colleges or seminaries, persons belonging to any recognized learned profession, or persons employed strictly as personal or domestic servants.

Excluded classes:
Exceptions—
Skilled labor;
Actors, artists, etc.

SEC. 3. That the importation into the United States of any alien woman or girl for the purpose of prostitution, or for any other immoral purpose, is hereby forbidden; and whoever shall, directly or indirectly, import, or attempt to import, into the United States, any alien woman or girl for the purpose of prostitution, or for any other immoral purpose, or whoever shall hold or attempt to hold any alien woman or girl for any such purpose in pursuance of such illegal importation, or whoever shall keep, maintain, control, support, or harbor in any house or other place, for the purpose of prostitution, or for any other immoral purpose, any alien woman or girl, within three years after she shall have entered the United States, shall, in every such case, be deemed guilty of a felony, and on conviction thereof be imprisoned not more than five years and pay a fine of not more than five thousand dollars; and any alien woman or girl who shall be found an inmate of a house of prostitution or practicing prostitution, at any time within three years after she shall have entered the United States, shall be deemed to be unlawfully within the United States and shall be deported as provided by sections twenty and twenty-one of this Act.[a]

Prostitutes:
Importation or holding penalized;
Deportation of, within three years.

SEC. 4. That it shall be a misdemeanor for any person, company, partnership, or corporation, in any manner whatsoever, to prepay the transportation or in any way to assist or encourage the importation or migration of any contract laborer or contract laborers into the United States, unless such contract laborer or contract laborers are exempted under the terms of the last two provisos contained in section two of this Act.

Contract laborers:
Importation of, forbidden;

SEC. 5. That for every violation of any of the provisions of section four of this Act the person, partnership, company, or corporation violating the same, by knowingly assisting, encouraging, or soliciting the migration or importation of any contract laborer into the United States shall forfeit and pay for every such offense the sum of one thousand dollars, which may be sued for and recovered by the United States, or by any person who shall first bring his action therefor in his own name and

Penalty for importing;

[a] See paragraph (*c*), Rule 31, and Rules 34–38.

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Contract laborers:

for his own benefit, including any such alien thus promised labor or service of any kind as aforesaid, as debts of like amount are now recovered in the courts of the United States; and separate suits may be brought for each alien thus promised labor or service of any kind as aforesaid.[a]

U. S. attorneys to prosecute suits;

And it shall be the duty of the district attorney of the proper district to prosecute every such suit when brought by the United States.

Advertising for, forbidden;

SEC. 6. That it shall be unlawful and be deemed a violation of section four of this Act to assist or encourage the importation or migration of any alien by promise of employment through advertisements printed and published in any foreign country; and any alien coming to this country in consequence of such an advertisement shall be treated as coming under promise or agreement as contemplated in section two of this Act, and the penalties imposed by section five of this Act shall be applicable to such a case: *Provided*, That this section shall not apply to States or Territories, the District of Columbia, or places subject to the jurisdiction of the United States advertising the inducements they offer for immigration thereto, respectively.

Exception, in favor States and Territories.

Soliciting:

SEC. 7. That no transportation company or owner or owners of vessels, or others engaged in transporting aliens into the United States, shall, directly or indirectly, either by writing, printing, or oral representation, solicit, invite, or encourage the immigration of any aliens into the United States, but this shall not be held to prevent transportation companies from issuing letters, circulars, or advertisements, stating the sailings of their vessels and terms and facilities of transportation therein; and for a violation of this provision, any such transportation company, and any such owner or owners of vessels, and all others engaged in transporting aliens into the United States, and the agents by them employed, shall be severally subjected to the penalties imposed by section five of this Act.

Forbidden on part transportation companies;

Penalty for.

Unlawful landing:

SEC. 8. That any person, including the master, agent, owner, or consignee of any vessel, who shall bring into or land in the United States, by vessel or otherwise, or who shall attempt, by himself or through another, to bring into or land in the United States, by vessel or otherwise, any alien not duly admitted by an immigrant inspector or not lawfully entitled to enter the United States shall be deemed guilty of a misdemeanor, and shall, on conviction, be punished by a fine not exceeding one thousand dollars, or by imprisonment for a term not exceeding two years, or by both such fine and imprisonment for each and every alien so landed or brought in or attempted to be landed or brought in.[a]

Penalty for.

Fine, $100:

SEC. 9. That it shall be unlawful for any person, including any transportation company other than railway lines entering the United States from foreign contiguous

For bringing diseased aliens;

[a] For method of reporting, see Rule 30.

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territory, or the owner, master, agent, or consignee of any vessel to bring to the United States any alien subject to any of the following disabilities: Idiots, imbeciles, epileptics, or persons afflicted with tuberculosis or with a loathsome or dangerous contagious disease, and if it shall appear to the satisfaction of the Secretary of Commerce and Labor that any alien so brought to the United States was afflicted with any of the said diseases or disabilities at the time of foreign embarkation and that the existence of such disease or disability might have been detected by means of a competent medical examination at such time, such person or transportation company, or the master, agent, owner, or consignee of any such vessel shall pay to the collector of customs of the customs district in which the port of arrival is located the sum of one hundred dollars for each and every violation of the provisions of this section; and no vessel shall be granted clearance papers pending the determination of the question of the liability to the payment of such fine, and in the event such fine is imposed, while it remains unpaid, nor shall such fine be remitted or refunded: *Provided*, That clearance may be granted prior to the determination of such questions upon the deposit of a sum sufficient to cover such fine and costs, such sum to be named by the Secretary of Commerce and Labor.[a]

Fine, $100: For bringing diseased aliens; Method of collecting.

SEC. 10. That the decision of the board of special inquiry, hereinafter provided for, based upon the certificate of the examining medical officer, shall be final as to the rejection of aliens affected with tuberculosis or with a loathsome or dangerous contagious disease, or with any mental or physical disability which would bring such aliens within any of the classes excluded from admission to the United States under section two of this Act.[b]

Appeals: Not allowed aliens afflicted with tuberculosis or dangerous contagious diseases.

SEC. 11. That upon the certificate of a medical officer of the United States Public Health and Marine Hospital Service to the effect that a rejected alien is helpless from sickness, mental or physical disability, or infancy, if such alien is accompanied by another alien whose protection or guardianship is required by such rejected alien, such accompanying alien may also be excluded, and the master, agent, owner, or consignee of the vessel in which such alien and accompanying alien are brought shall be required to return said alien and accompanying alien in the same manner as vessels are required to return other rejected aliens.[c]

Guardian en voyage: Transportation companies to bear expense of.

SEC. 12. That upon the arrival of any alien by water at any port within the United States[d] it shall be the duty of the master or commanding officer of the steamer, sailing or other vessel having said alien on board to deliver

Manifests: Incoming passengers—

[a] For method of imposing, see Rule 28.
[b] See Rule 6; also latter part of section 25.
[c] See Rule 12.
[d] For the procurement of manifests from Canadian transportation companies, see paragraph (*e*), Rule 25.

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Manifests: Incoming passengers— to the immigration officers at the port of arrival lists or manifests made at the time and place of embarkation of such alien on board such steamer or vessel, which shall, in answer to questions at the top of said list, state as to

What to contain; each alien the full name, age, and sex; whether married or single; the calling or occupation; whether able to read or write; the nationality; the race; the last residence; the name and address of the nearest relative in the country from which the alien came; the seaport for landing in the United States; the final destination, if any, beyond the port of landing; whether having a ticket through to such final destination; whether the alien has paid his own passage or whether it has been paid by any other person or by any corporation, society, municipality, or government, and if so, by whom; whether in possession of fifty dollars, and if less, how much; whether going to join a relative or friend, and if so, what relative or friend, and his or her name and complete address; whether ever before in the United States, and if so, when and where; whether ever in prison or almshouse or an institution or hospital for the care and treatment of the insane or supported by charity; whether a polygamist; whether an anarchist; whether coming by reason of any offer, solicitation, promise, or agreement, express or implied, to perform labor in the United States, and what is the alien's condition of health, mental and physical, and whether deformed or crippled, and if so,

Outgoing passengers— for how long and from what cause; that it shall further be the duty of the master or commanding officer of every vessel taking alien passengers out of the United States, from any port thereof, to file before departure therefrom with the collector of customs of such port a complete list of all such alien passengers taken on board.

What to contain; Such list shall contain the name, age, sex, nationality, residence in the United States, occupation, and the time of last arrival of every such alien in the United States, and no master of any such vessel shall be granted clearance papers for his vessel until he has deposited such list or lists with the collector of customs at the port of departure and made oath that they are full and complete as to the name and other information herein required concerning each alien taken on board his vessel;[a] and any neglect or omission to comply with the requirements of this section shall be punishable as provided in section fifteen of this Act.[b]

Penalty;

With whom deposited; That the collector of customs with whom any such list has been deposited in accordance with the provisions of this section, shall promptly notify the Commissioner-General of Immigration that such list has been deposited with him as provided, and shall make such

[a] For the procurement of manifests from Canadian transportation companies, see paragraph (*c*), Rule 25.

[b] For method of imposing fine, see Rule 29.

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Manifests:

further disposition thereof as may be required by regulations to be issued by the Commissioner-General of Immigration with the approval of the Secretary of Commerce and Labor:[a] *Provided*, That in the case of vessels making regular trips to ports of the United States the Commissioner-General of Immigration, with the approval of the Secretary of Commerce and Labor, may, when expedient, arrange for the delivery of such lists of outgoing aliens at a later date:[a] *Provided further*, That it shall be the duty of the master or commanding officer of any vessel sailing from ports in the Philippine Islands, Guam, Porto Rico, or Hawaii to any port of the United States on the North American Continent to deliver to the immigration officers at the port of arrival lists or manifests made at the time and place of embarkation, giving the names of all aliens on board said vessel.[b]

Of aliens from the Philippines, Guam, Porto Rico, and Hawaii;

How made up;

SEC. 13. That all aliens arriving by water at the ports of the United States shall be listed in convenient groups, and no one list or manifest shall contain more than thirty names. To each alien or head of a family shall be given a ticket on which shall be written his name, a number or letter designating the list in which his name, and so forth, is contained, and his number on said list, for convenience of identification on arrival. Each list or manifest shall be verified by the signature and the oath of affirmation of the master or commanding officer, or the first or second below him in command, taken before an immigration officer at the port of arrival, to the effect that he has caused the surgeon of said vessel sailing therewith to make a physical and oral examination of each of said aliens, and that from the report of said surgeon and from his own investigation he believes that no one of said aliens is an idiot, or imbecile, or a feeble-minded person, or insane person, or a pauper, or is likely to become a public charge, or is afflicted with tuberculosis or with a loathsome or dangerous contagious disease, or is a person who has been convicted of, or who admits having committed a felony or other crime or misdemeanor involving moral turpitude, or is a polygamist or one admitting belief in the practice of polygamy, or an anarchist, or under promise or agreement, express or implied, to perform labor in the United States, or a prostitute, or a woman or girl coming to the United States for the purpose of prostitution, or for any other immoral purpose, and that also, according to the best of his knowledge and belief, the information in said lists or manifests concerning each of said aliens named therein is correct and true in every respect.

To be signed and sworn to by master, as to correctness of contents;

To be signed and sworn to by surgeon;

SEC. 14. That the surgeon of said vessel sailing therewith shall also sign each of said lists or manifests and make oath or affirmation in like manner before an immi-

[a] See Rule XXIX, statistical regulations.

[b] See paragraphs (*b*) and (*c*), Rule I, statistical regulations.

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Manifests: gration officer at the port of arrival, stating his professional experience and qualifications as a physician and surgeon, and that he has made a personal examination of each of the said aliens named therein, and that the said list or manifest, according to the best of his knowledge and belief, is full, correct, and true in all particulars relative to the mental and physical condition of said aliens. If no surgeon sails with any vessel bringing aliens the mental and physical examinations and the verifications of the lists or manifests shall be made by some competent surgeon employed by the owners of the said vessel.[a]

Incoming passengers— SEC. 15. That in the case of the failure of the master or commanding officer of any vessel to deliver to the said immigration officers lists or manifests of all aliens on board thereof, as required in sections twelve, thirteen, and

Penalty of $10; fourteen of this Act, he shall pay to the collector of customs at the port of arrival the sum of ten dollars for each alien concerning whom the above information is not con-

Outgoing passengers— tained in any list as aforesaid: *Provided*, That in the case of failure without good cause to deliver the list of passengers required by section twelve of this Act from the master or commanding officer of every vessel taking alien

Penalty of $10; passengers out of the United States, the penalty shall be paid to the collector of customs at the port of departure and shall be a fine of ten dollars for each alien not in-

Aggregate not to exceed $100. cluded in said list; but in no case shall the aggregate fine exceed one hundred dollars.[b]

Inspection: SEC. 16. That upon the receipt by the immigration officers at any port of arrival of the lists or manifests of incoming aliens provided for in sections twelve, thirteen,

On board vessel; and fourteen of this Act, it shall be the duty of said officers to go or to send competent assistants to the vessel to which said lists or manifests refer, and there inspect all

Landing for, not actual landing; such aliens, or said immigration officers may order a temporary removal of such aliens for examination at a designated time and place, but such temporary removal shall not be considered a landing, nor shall it relieve the transportation lines, masters, agents, owners, or consignees of the vessel upon which said aliens are brought to any port of the United States from any of the obligations which, in case such aliens remain on board, would, under the provisions of this Act, bind the said transportation lines,

If placed in station, immigration officers responsible. masters, agents, owners, or consignees: *Provided*, That where a suitable building is used for the detention and examination of aliens the immigration officials shall there take charge of such aliens, and the transportation companies, masters, agents, owners, and consignees of the vessels bringing such aliens shall be relieved of the responsibility for their detention thereafter until the return of such aliens to their care.

[a] See paragraph (*g*), Rule 29.
[b] For procedure, see Rule 29.

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Medical examination:
To be made by P. H. and M. H. surgeons;

SEC. 17. That the physical and mental examination of all arriving aliens shall be made by medical officers of the United States Public Health and Marine-Hospital Service, who shall have had at least two years' experience in the practice of their profession since receiving the degree of doctor of medicine and who shall certify for the information of the immigration officers and the boards of special inquiry hereinafter provided for, any and all physical and mental defects or diseases observed by said medical officers in any such alien,[a] or, should medical officers of the United States Public Health and Marine-Hospital Service be not available, civil surgeons of not less than four years' professional experience may be employed in such emergency for such service, upon such terms as may be prescribed by the Commissioner-General of Immigration under the direction or with the approval of the Secretary of Commerce and Labor. The United States Public Health and Marine-Hospital Service shall be reimbursed by the immigration service for all expenditures incurred in carrying out the medical inspection of aliens under regulations of the Secretary of Commerce and Labor.

P. H. and M. H. Service to be reimbursed for surgeons' salaries.

Unlawful landing:
Exception under sec. 32;
Penalty for;

SEC. 18. That it shall be the duty of the owners, officers, or agents of any vessel or transportation line, other than those railway lines which may enter into a contract as provided in section thirty-two of this Act, bringing an alien to the United States to prevent the landing of such alien in the United States at any time or place other than as designated by the immigration officers, and the negligent failure of any such owner, officer, or agent to comply with the foregoing requirements shall be deemed a misdemeanor and be punished by a fine in each case of not less than one hundred nor more than one thousand dollars or by imprisonment for a term not exceeding one year, or by both such fine and imprisonment;[b] and every such alien so landed shall be deemed to be unlawfully in the United States and shall be deported as provided in sections twenty and twenty-one of this Act.[c]

Deportation of aliens so landed.

Deportation:
By vessel bringing;
Cost of, and of detention, to be borne by steamship companies;
Penalty for failure to hold, deport, or maintain.

SEC. 19. That all aliens brought to this country in violation of law shall, if practicable, be immediately sent back to the country whence they respectively came on the vessels bringing them. The cost of their maintenance while on land, as well as the expense of the return of such aliens, shall be borne by the owner or owners of the vessels on which they respectively came; and if any master, person in charge, agent, owner, or consignee of any such vessel shall refuse to receive back on board thereof, or on board of any other vessel owned or operated by the same interests, such aliens, or shall fail to detain them thereon, or shall refuse or fail to return them to the foreign port

[a] See Rule 9.
[b] For method of reporting, see Rule 30.
[c] See paragraph (*d*), Rule 31, and Rules 34–38.

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Deportation: Penalty for taking security.

from which they came, or to pay the cost of their maintenance while on land, or shall make any charge for the return of any such alien, or shall take any security from him for the payment of such charge, such master, person in charge, agent, owner, or consignee shall be deemed guilty of a misdemeanor and shall, on conviction, be punished by a fine of not less than three hundred dollars for each and every such offense; and no vessel shall have clearance from any port of the United States while any such fine is unpaid:[a] *Provided*, That the Commissioner-General of Immigration, with the approval of the Secretary of Commerce and Labor, may suspend, upon conditions to be prescribed by the Commissioner-General of Immigration, the deportation of any alien found to have come in violation of any provision of this Act, if, in his judgment, the testimony of such alien is necessary on behalf of the United States Government in the prosecution of offenders against any provision of this Act: *Provided*, That the cost of maintenance of any person so detained resulting from such suspension of deportation shall be paid from the "immigrant fund"[b] but no alien certified, as provided in section seventeen of this Act, to be suffering from tuberculosis or from a loathsome or dangerous contagious disease other than one of quarantinable nature shall be permitted to land for medical treatment thereof in any hospital in the United States, unless with the express permission of the Secretary of Commerce and Labor:[c] *Provided*, That upon the certificate of a medical officer of the United States Public Health and Marine-Hospital Service to the effect that the health or safety of an insane alien would be unduly imperiled by immediate deportation, such alien may, at the expense of the "immigrant fund," be held for treatment until such time as such alien may, in the opinion of such medical officer, be safely deported.[c]

Witnesses: Authority to hold; Cost paid from immigrant fund; If suffering with tuberculosis or loathsome or dangerous disease, held only by express permission of Secretary. Insane aliens: Holding for treatment, expense immigrant fund.

Deportation: Unlawful residence and public charges; How expense of, to be borne.

SEC. 20. That any alien who shall enter the United States in violation of law, and such as become public charges from causes existing prior to landing, shall, upon the warrant of the Secretary of Commerce and Labor, be taken into custody and deported to the country whence he came at any time within three years after the date of his entry into the United States. Such deportation, including one-half of the entire cost of removal to the port of deportation, shall be at the expense of the contractor, procurer, or other person by whom the alien was unlawfully induced to enter the United States, or, if that can not be done, then the cost of removal to the port of deportation shall be at the expense of the "immigrant fund" provided for in section one of this Act, and the deportation from such port shall be at the expense of the owner or owners of such vessel or transportation line by

[a] For method of reporting, see Rule 30.
[b] See Rule 14.
[c] See Rule 10.

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which such aliens respectively came:[a] *Provided*, That pending the final disposal of the case of any alien so taken into custody he may be released under a bond in the penalty of not less than five hundred dollars with security approved by the Secretary of Commerce and Labor, conditioned that such alien shall be produced when required for a hearing or hearings in regard to the charge upon which he has been taken into custody, and for deportation if he shall be found to be unlawfully within the United States.[b]

Bond:
Releasing arrested aliens on.

SEC. 21. That in case the Secretary of Commerce and Labor shall be satisfied that an alien has been found in the United States in violation of this Act, or that an alien is subject to deportation under the provisions of this Act or of any law of the United States, he shall cause such alien within the period of three years after landing or entry therein to be taken into custody and returned to the country whence he came, as provided by section twenty of this Act,[a] and a failure or refusal on the part of the masters, agents, owners, or consignees of vessels to comply with the order of the Secretary of Commerce and Labor to take on board, guard safely, and return to the country whence he came any alien ordered to be deported under the provisions of this Act shall be punished by the imposition of the penalties prescribed in section nineteen of this Act:[c] *Provided*, That when in the opinion of the Secretary of Commerce and Labor the mental or physical condition of such alien is such as to require personal care and attendance, he may employ a suitable person for that purpose, who shall accompany such alien to his or her final destination, and the expense incident to such service shall be defrayed in like manner.[d]

Deportation:
Of aliens subject thereto;

Penalty against vessels for refusal to deport on warrant;

Attendants for deported persons.

SEC. 22. That the Commissioner-General of Immigration, in addition to such other duties as may by law be assigned to him, shall, under the direction of the Secretary of Commerce and Labor, have charge of the administration of all laws relating to the immigration of aliens into the United States, and shall have the control, direction, and supervision of all officers, clerks, and employees appointed thereunder. He shall establish such rules and regulations, prescribe such forms of bond, reports, entries, and other papers, and shall issue from time to time such instructions, not inconsistent with law, as he shall deem best calculated for carrying out the provisions of this Act and for protecting the United States and aliens migrating thereto from fraud and loss, and shall have authority to enter into contract for the support and relief of such aliens as may fall into distress or need public aid; all under the direction or with the approval of the Secre-

Commissioner-General:
Duties of;

To make contracts for relief of aliens;

[a] See Rules 31–37.
[b] See paragraph (*g*), Rule 35.
[c] For method of reporting, see Rule 30.
[d] For procedure for providing attendant, see Rule 37.

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Commissioner-General: To detail officers to investigate public charges;

tary of Commerce and Labor. And it shall be the duty of the Commissioner-General of Immigration to detail officers of the immigration service from time to time as may be necessary, in his judgment, to secure information as to the number of aliens detained in the penal, reformatory, and charitable institutions (public and private) of the several States and Territories, the District of Columbia, and other territory of the United States and to inform the officers of such institutions of the provisions of law in relation to the deportation of aliens who have become public charges: *Provided*, That the Commissioner-General of Immigration may, with the approval of the Secretary of Commerce and Labor, whenever in his judgment such action may be necessary to accomplish the purposes of this Act, detail immigration officers, and also surgeons, in accordance with the provisions of section seventeen, for service in foreign countries.

To detail officers abroad.

Commissioners: Duties of.

SEC. 23. That the duties of the commissioners of immigration shall be of an administrative character, to be prescribed in detail by regulations prepared, under the direction or with the approval of the Secretary of Commerce and Labor.

Employees: Appointing and promoting.

SEC. 24. That immigrant inspectors and other immigration officers, clerks, and employees shall hereafter be appointed and their compensation fixed and raised or decreased from time to time by the Secretary of Commerce and Labor, upon the recommendation of the Commissioner-General of Immigration and in accordance with the provisions of the civil-service Act of January sixteenth, eighteen hundred and eighty-three: *Provided*, That said Secretary, in the enforcement of that portion of this Act which excludes contract laborers, may employ, without reference to the provisions of the said civil service Act, or to the various Acts relative to the compilation of the official register, such persons as he may deem advisable and from time to time fix, raise, or decrease their compensation. He may draw from the "immigrant fund" annually fifty thousand dollars or as much thereof as may be necessary, to be expended for the salaries and expenses of persons so employed and for expenses incident to such employment; and the accounting officers of the Treasury shall pass to the credit of the proper disbursing officer expenditures from said sum without itemized account whenever the Secretary of Commerce and Labor certifies that an itemized account would not be for the best interests of the Government: *Provided further*, That nothing herein contained shall be construed to alter the mode of appointing commissioners of immigration at the several ports of the United States as provided by the sundry civil appropriation Act approved August eighteenth, eighteen hundred and ninety-four, or the official status of such commissioners heretofore appointed.

Contract labor laws: Special provision for enforcement of.

Commissioners: Appointing.

Immigration officers: Power and authority of;

Immigration officers shall have power to administer oaths and to take and consider evidence touching the right of

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any alien to enter the United States, and, where such action may be necessary, to make a written record of such evidence; and any person to whom such an oath has been administered under the provisions of this Act who shall knowingly or wilfully give false evidence or swear to any false statement in any way affecting or in relation to the right of any alien to admission to the United States shall be deemed guilty of perjury and be punished as provided by section fifty-three hundred and ninety-two, United States Revised Statutes. The decision of any such officer, if favorable to the admission of any alien, shall be subject to challenge by any other immigration officer, and such challenge shall operate to take the alien whose right to land is so challenged before a board of special inquiry for its investigation. Every alien who may not appear to the examining immigrant inspector at the port of arrival to be clearly and beyond a doubt entitled to land shall be detained for examination in relation thereto by a board of special inquiry.

Immigration officers:
False swearing before, perjury;
Challenging decision of.
Boards of special inquiry:
Detaining aliens for;

SEC. 25. That such boards of special inquiry shall be appointed by the commissioner of immigration at the various ports of arrival as may be necessary for the prompt determination of all cases of immigrants detained at such ports under the provisions of law.[a] Each board shall consist of three members, who shall be selected from such of the immigrant officials in the service as the Commissioner-General of Immigration, with the approval of the Secretary of Commerce and Labor, shall from time to time designate as qualified to serve on such boards: *Provided*, That at ports where there are fewer than three immigrant inspectors, the Secretary of Commerce and Labor, upon the recommendation of the Commissioner-General of Immigration, may designate other United States officials for service on such boards of special inquiry. Such boards shall have authority to determine whether an alien who has been duly held shall be allowed to land or shall be deported. All hearings before boards shall be separate and apart from the public, but the said boards shall keep a complete permanent record of their proceedings and of all such testimony as may be produced before them; and the decision of any two members of a board shall prevail, but either the alien or any dissenting member of the said board may appeal through the commissioner of immigration at the port of arrival and the Commissioner-General of Immigration to the Secretary of Commerce and Labor, and the taking of such appeal shall operate to stay any action in regard to the final disposal of any alien whose case is so appealed until the receipt by the commissioner of immigration at the port of arrival of such decision which shall be rendered solely upon the evidence adduced before the board of special inquiry: *Provided*, That in every case where an alien is excluded from admission into the United States,

Appointing;
Other officials for;
Authority of;
Hearings before, private.
Appeals:
Manner of taking;
Decision on, based solely upon original evidence;
Unless taken, decision of officers final;

[a] See Rule 17 for form of oath of board member.

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Appeals: under any law or treaty now existing or hereafter made, the decision of the appropriate immigration officers, if adverse to the admission of such alien, shall be final, unless reversed on appeal to the Secretary of Commerce and Labor; but nothing in this section shall be construed to admit of any appeal in the case of an alien rejected as provided for in section ten of this Act.[a]

Not allowed in cases rejected under section 10.

Bonds: Landing under. In what cases permissible; SEC. 26. That any alien liable to be excluded because likely to become a public charge or because of physical disability other than tuberculosis or a loathsome or dangerous contagious disease may, if otherwise admissible, nevertheless be admitted in the discretion of the Secretary of Commerce and Labor upon the giving of a suitable and proper bond or undertaking, approved by said Secretary in such amount and containing such conditions as he may prescribe, to the people of the United States, holding the United States or any State, Territory, county, municipality, or district thereof harmless against such alien becoming a public charge. The admission of such alien shall be a consideration for the giving of such bond or undertaking. Suit may be brought thereon in the name and by the proper law officers either of the United States Government or of any State, Territory, district, county, or municipality in which such alien becomes a public charge.[b]

Bringing suits upon.

Suits: Compromising, etc.; SEC. 27. That no suit or proceeding for a violation of the provisions of this Act shall be settled, compromised, or discontinued without the consent of the court in which it is pending, entered of record, with the reasons therefor.

Under former acts not affected hereby. SEC. 28. That nothing contained in this Act shall be construed to affect any prosecution, suit, action, or proceedings brought, or any act, thing, or matter, civil or criminal, done or existing at the time of the taking effect of this Act; but as to all such prosecutions, suits, actions, proceedings, acts, things, or matters the laws or parts of laws repealed or amended by this Act are hereby continued in force and effect.

Courts, circuit and district: Jurisdiction. SEC. 29. That the circuit and district courts of the United States are hereby invested with full and concurrent jurisdiction of all causes, civil and criminal, arising under any of the provisions of this Act.

Exclusive privileges: How granted; SEC. 30. That all exclusive privileges of exchanging money, transporting passengers or baggage, or keeping eating houses, and all other like privileges in connection with any United States immigrant station, shall be disposed of after public competition, subject to such conditions and limitations as the Commissioner-General of Immigration, under the direction or with the approval of the Secretary of Commerce and Labor, may prescribe: *Provided*, That no intoxicating liquors shall be sold in

[a] See Rules 5–8.

[b] See Rule 20 as to circumstances under which accepted.

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any such immigrant station; that all receipts accruing from the disposal of such exclusive privileges as herein provided shall be paid into the Treasury of the United States to the credit of the "immigrant fund" provided for in section one of this Act.

Exclusive privileges:
Proceeds from, to be paid into immigrant fund.

SEC. 31. That for the preservation of the peace and in order that arrests may be made for crimes under the laws of the States and Territories of the United States where the various immigrant stations are located, the officers in charge of such stations, as occasion may require, shall admit therein the proper State and municipal officers charged with the enforcement of such laws, and for the purpose of this section the jurisdiction of such officers and of the local courts shall extend over such stations.

Peace officers:
Admission to stations.

SEC. 32. That the Commissioner-General of Immigration, under the direction or with the approval of the Secretary of Commerce and Labor, shall prescribe rules for the entry and inspection of aliens along the borders of Canada and Mexico, so as not to unnecessarily delay, impede, or annoy passengers in ordinary travel between the United States and said countries, and shall have power to enter into contracts with transportation lines for the said purpose.[a]

Commissioner-General:
To make rules and contracts for inspection on land boundaries.

SEC. 33. That for the purpose of this Act the term "United States" as used in the title as well as in the various sections of this Act shall be construed to mean the United States and any waters, territory, or other place subject to the jurisdiction thereof, except the Isthmian Canal Zone: *Provided*, That if any alien shall leave the canal zone and attempt to enter any other place under the jurisdiction of the United States, nothing contained in this Act shall be construed as permitting him to enter under any other conditions than those applicable to all aliens.

"United States:"
Meaning of term.

Canal Zone:
Inspection of aliens from.

SEC. 34. That the Commissioner-General of Immigration, with the approval of the Secretary of Commerce and Labor, may appoint a commissioner of immigration to discharge at New Orleans, Louisiana, the duties now required of other commissioners of immigration at their respective posts.

Commissioner:
Appointment of, at New Orleans.

SEC. 35. That the deportation of aliens arrested within the United States after entry and found to be illegally therein, provided for in this Act, shall be to the trans-Atlantic or trans-Pacific ports from which said aliens embarked for the United States; or, if such embarkation was for foreign contiguous territory, to the foreign port at which said aliens embarked for such territory.

Deportation:
To be to transoceanic ports;

SEC. 36. That all aliens who shall enter the United States except at the seaports thereof, or at such place or places as the Secretary of Commerce and Labor may

Of aliens entering unlawfully.

[a] For arrangement on Canadian border, see Rule 25; on Mexican border, Rule 27.

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Ports of entry:
To be designated on land borders.

from time to time designate, shall be adjudged to have entered the country unlawfully and shall be deported as provided by sections twenty and twenty-one of this Act: *Provided*, That nothing contained in this section shall affect the power conferred by section thirty-two of this Act upon the Commissioner-General of Immigration to prescribe rules for the entry and inspection of aliens along the borders of Canada and Mexico.[a]

Admission:
Of diseased wife or minor children of alien who has declared intention to become citizen.

SEC. 37. That whenever an alien shall have taken up his permanent residence in this country, and shall have filed his declaration of intention to become a citizen, and thereafter shall send for his wife, or minor children to join him, if said wife or any of said children shall be found to be affected with any contagious disorder, such wife or children shall be held, under such regulations as the Secretary of Commerce and Labor shall prescribe, until it shall be determined whether the disorder will be easily curable, or whether they can be permitted to land without danger to other persons; and they shall not be either admitted or deported until such facts have been ascertained; and if it shall be determined that the disorder is easily curable or that they can be permitted to land without danger to other persons, they shall, if otherwise admissible, thereupon be admitted.[b]

Anarchists:
Not to be admitted;

SEC. 38. That no person who disbelieves in or who is opposed to all organized government, or who is a member of or affiliated with any organization entertaining and teaching such disbelief in or opposition to all organized government, or who advocates or teaches the duty, necessity, or propriety of the unlawful assaulting or killing of any officer or officers, either of specific individuals or of officers generally, of the Government of the United States or of any other organized government, because of his or their official character, shall be permitted to enter the United States or any territory or place subject to the jurisdiction thereof. This section shall be enforced by the Secretary of Commerce and Labor under such rules and regulations as he shall prescribe. That any person who knowingly aids or assists any such person to enter the United States or any territory or place subject to the jurisdiction thereof, or who connives or conspires with any person or persons to allow, procure, or permit any such person to enter therein, except pursuant to such rules and regulations made by the Secretary of Commerce and Labor shall be fined not more than five thousand dollars, or imprisoned for not more than five years, or both.[c]

Penalty for assisting to enter.

Immigration Commission:
How appointed;

SEC. 39. That a commission is hereby created, consisting of three Senators, to be appointed by the President of the Senate, and three members of the House of Representatives, to be appointed by the Speaker of the House of

[a] See Rule 38; also paragraph (*g*), Rule 21.
[b] See Rule 11.
[c] For method of reporting, see Rule 30.

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Representatives, and three persons, to be appointed by the President of the United States. Said commission shall make full inquiry, examination, and investigation by sub-committee or otherwise into the subject of immigration. For the purpose of said inquiry, examination, and investigation, said commission is authorized to send for persons and papers, make all necessary travel, either in the United States or any foreign country, and, through the chairman of the commission or any member thereof to administer oaths and to examine witnesses and papers respecting all matters pertaining to the subject, and to employ necessary clerical and other assistance. Said commission shall report to the Congress the conclusions reached by it and make such recommendations as in its judgment may seem proper. Such sums of money as may be necessary for the said inquiry, examination, and investigation are hereby appropriated and authorized to be paid out of the "immigrant fund" on the certificate of the chairman of said commission, including all expenses of the commissioners and a reasonable compensation, to be fixed by the President of the United States, for those members of the commission who are not members of Congress; and the President of the United States is also authorized, in the name of the Government of the United States, to call, in his discretion, an international conference, to assemble at such point as may be agreed upon, or to send special commissioners to any foreign country, for the purpose of regulating by international agreement, subject to the advice and consent of the Senate of the United States, the immigration of aliens to the United States; of providing for the mental, moral and physical examination of such aliens by American consuls or other officers of the United States Government at the ports of embarkation, or elsewhere; of securing the assistance of foreign governments in their own territories to prevent the evasion of the laws of the United States governing immigration to the United States; of entering into such international agreements as may be proper to prevent the immigration of aliens who, under the laws of the United States, are or may be excluded from entering the United States, and of regulating any matters pertaining to such immigration.

Immigration Commission:

Authority and duties;

Expenses of, how paid.

International conference:

President authorized to arrange for;

Purpose of.

SEC. 40. Authority is hereby given the Commissioner-General of Immigration to establish, under the direction and control of the Secretary of Commerce and Labor, a division of information in the Bureau of Immigration and Naturalization; and the Secretary of Commerce and Labor shall provide such clerical assistance as may be necessary. It shall be the duty of said division to promote a beneficial distribution of aliens admitted into the United States among the several States and Territories desiring immigration. Correspondence shall be had with the proper officials of the States and Territories, and said

Information division:

Establishment of;

Duties and authority of.

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division shall gather from all available sources useful information regarding the resources, products, and physical characteristics of each State and Territory, and shall publish such information in different languages and distribute the publications among all admitted aliens who may ask for such information at the immigrant stations of the United States and to such other persons as may desire the same. When any State or Territory appoints and maintains an agent or agents to represent it at any of the immigrant stations of the United States, such agents shall, under regulations prescribed by the Commissioner-General of Immigration, subject to the approval of the Secretary of Commerce and Labor, have access to aliens who have been admitted to the United States for the purpose of presenting, either orally or in writing, the special inducements offered by such State or Territory to aliens to settle therein. While on duty at any immigrant station such agents shall be subject to all the regulations prescribed by the Commissioner-General of Immigration, who, with the approval of the Secretary of Commerce and Labor, may, for violation of any such regulations, deny to the agent guilty of such violation any of the privileges herein granted.

State agents: Appointment and stationing at ports; Courtesies to; Control of.

Foreign officials: Exempted from provisions hereof.

SEC. 41. That nothing in this Act shall be construed to apply to accredited officials of foreign governments nor to their suites, families, or guests.[a]

Amendatory of navigation act.

SEC. 42. It shall not be lawful for the master of a steamship or other vessel whereon immigrant passengers, or passengers other than cabin passengers, have been taken at any port or place in a foreign country or dominion (ports and places in foreign territory contiguous to the United States excepted) to bring such vessel and passengers to any port or place in the United States unless the compartments, spaces, and accommodations hereinafter mentioned have been provided, allotted, maintained, and used for and by such passengers during the entire voyage; that is to say, in a steamship, the compartments or spaces, unobstructed by cargo, stores, or goods, shall be of sufficient dimensions to allow for each and every passenger carried or brought therein eighteen clear superficial feet of deck allotted to his or her use, if the compartment or space is located on the main deck or on the first deck next below the main deck of the vessel, and twenty clear superficial feet of deck allotted to his or her use for each passenger carried or brought therein if the compartment or space is located on the second deck below the main deck of the vessel: *Provided*, That if the height between the lower passenger deck and the deck immediately above it is less than seven feet, or if the apertures (exclusive of the side scuttles) through which light and air are admitted together to the lower passen-

[a] See paragraph (*b*), Rule 2.

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ger deck are less in size than in the proportion of three square feet to every one hundred superficial feet of that deck, the ship shall not carry a greater number of passengers on that deck than in the proportion of one passenger to every thirty clear superficial feet thereof. It shall not be lawful to carry or bring passengers on any deck other than the decks above mentioned. And in sailing vessels such passengers shall be carried or brought only on the deck (not being an orlop deck) that is next below the main deck of the vessel, or in a poop or deck house constructed on the main deck; and the compartment or space, unobstructed by cargo, stores, or goods, shall be of sufficient dimensions to allow one hundred and ten cubic feet for each and every passenger brought therein. And such passengers shall not be carried or brought in any between decks, nor in any compartment, space, poop, or deck house, the height of which from deck to deck is less than six feet. In computing the number of such passengers carried or brought in any vessel, children under one year of age shall not be included, and two children between one and eight years of age shall be counted as one passenger; and any person brought in any such vessel who shall have been, during the voyage, taken from any other vessel wrecked or in distress on the high seas, or have been picked up at sea from any boat, raft, or otherwise, shall not be included in such computation. The master of a vessel coming to a port or place in the United States in violation of either of the provisions of this section shall be deemed guilty of a misdemeanor; and if the number of passengers other than cabin passengers carried or brought in the vessel, or in any compartment, space, poop, or deck house thereof, is greater than the number allowed to be carried or brought therein, respectively, as hereinbefore prescribed, the said master shall be fined fifty dollars for each and every passenger in excess of the proper number, and may also be imprisoned not exceeding six months.

Amendatory of navigation act.

This section shall take effect on January first, nineteen hundred and nine.

Repealing clause:

SEC. 43. That the Act of March third, nineteen hundred and three, being an Act to regulate the immigration of aliens into the United States, except section thirty-four thereof, and the Act of March twenty-second, nineteen hundred and four, being an Act to extend the exemption from head tax to citizens of Newfoundland entering the United States, and all Acts and parts of Acts inconsistent with this Act are hereby repealed: *Provided*, That this Act shall not be construed to repeal, alter, or amend existing laws relating to the immigration or exclusion of Chinese persons or persons of Chinese descent, nor to repeal, alter, or amend section six, chapter four hundred and fifty-three, third session Fifty-eighth Congress, approved February sixth, nineteen hundred

Exceptions.

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and five, or, prior to January first, nineteen hundred and nine, section one of the Act approved August second, eighteen hundred and eighty-two, entitled "An Act to regulate the carriage of passengers by sea."

When effective.

SEC. 44. That this Act shall take effect and be enforced from and after July first, nineteen hundred and seven: *Provided, however*, That section thirty-nine of this Act and the last proviso of section one shall take effect upon the passage of this Act and section forty-two on January first, nineteen hundred and nine.

Approved February 20, 1907.

ACT OF MARCH 2, 1907.

AN ACT in reference to the expatriation of citizens and their protection abroad.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of State shall be authorized, in his discretion, to issue passports to persons not citizens of the United States as follows: Where any person has made a declaration of intention to become such a citizen as provided by law and has resided in the United States for three years a passport may be issued to him entitling him to the protection of the Government in any foreign country: *Provided*, That such passport shall not be valid for more than six months and shall not be renewed, and that such passport shall not entitle the holder to the protection of this Government in the country of which he was a citizen prior to making such declaration of intention.

Passports:

When issued to persons not citizens;

Not valid in country of alien's former domicile.

Expatriation:

How effected;

SEC. 2. That any American citizen shall be deemed to have expatriated himself when he has been naturalized in any foreign state in conformity with its laws, or when he has taken an oath of allegiance to any foreign state.

When any naturalized citizen shall have resided for two years in the foreign state from which he came, or for five years in any other foreign state it shall be presumed that he has ceased to be an American citizen, and the place of his general abode shall be deemed his place of residence during said years: *Provided, however*, That such presumption may be overcome on the presentation of satisfactory evidence to a diplomatic or consular officer of the United States, under such rules and regulations as the Department of State may prescribe: *And provided also*, That no American citizen shall be allowed to expatriate himself when this country is at war.

How presumption overcome.

Marriage:

How affects status of woman marrying foreigner;

SEC. 3. That any American woman who marries a foreigner shall take the nationality of her husband. At the termination of the marital relation she may resume her American citizenship, if abroad, by registering as an

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Marriage:

American citizen within one year with a consul of the United States, or by returning to reside in the United States, or, if residing in the United States at the termination of the marital relation, by continuing to reside therein.

Of foreign woman marrying American.

SEC. 4. That any foreign woman who acquires American citizenship by marriage to an American shall be assumed to retain the same after the termination of the marital relation if she continue to reside in the United States, unless she makes formal renunciation thereof before a court having jurisdiction to naturalize aliens, or if she resides abroad she may retain her citizenship by registering as such before a United States consul within one year after the termination of such marital relation.

Minor children:

Born outside United States, how citizenship resumed, and when takes effect.

SEC. 5. That a child born without the United States of alien parents shall be deemed a citizen of the United States by virtue of the naturalization of or resumption of American citizenship by the parent: *Provided*, That such naturalization or resumption takes place during the minority of such child: *And provided further*, That the citizenship of such minor child shall begin at the time such minor child begins to reside permanently in the United States.

Foreign born, citizens under sec. 1993, R. S.: Assumption of citizenship by.

SEC. 6. That all children born outside the limits of the United States who are citizens thereof in accordance with the provisions of section nineteen hundred and ninety-three of the Revised Statutes of the United States[a] and who continue to reside outside the United States shall, in order to receive the protection of this Government, be required upon reaching the age of eighteen years to record at an American consulate their intention to become residents and remain citizens of the United States and shall be further required to take the oath of allegiance to the United States upon attaining their majority.

Evidence:

To be filed with State Department.

SEC. 7. That duplicates of any evidence, registration, or other acts required by this Act shall be filed with the Department of State for record.

Approved March 2, 1907.

[a] Sec. 1993, Revised Statutes, reads as follows: "All children heretofore born or hereafter born out of the limits and jurisdiction of the United States, whose fathers were or may be at the time of their birth citizens thereof, are declared to be citizens of the United States; but the rights of citizenship shall not descend to children whose fathers never resided in the United States."

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IMMIGRATION REGULATIONS.

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DEPARTMENT OF COMMERCE AND LABOR,
BUREAU OF IMMIGRATION AND NATURALIZATION,
Washington, July 1, 1907.

Note: Meaning of terms employed.

NOTE.—Wherever, in the following rules, the expression "Immigration Act" is used, it shall be understood to refer to the act entitled "An act to regulate the immigration of aliens into the United States," approved February 20, 1907; and wherever a numbered section is mentioned it shall be understood to refer to the section of that number in said act, unless explicitly stated to the contrary.

Philippine Islands: Regulations not applicable to.

The following rules do not apply to aliens seeking admission to the Philippine Islands, the administration of the immigration laws and the collection of head tax therein having been vested in the officers of the general government of those islands by section 6 of the act approved February 6, 1905.

RULES RELATING TO HEAD TAX.

Head tax: Collection of;

RULE 1. *Collection of head tax.*—The head tax imposed by section 1 of the Immigration Act is to be levied and collected in respect of all aliens entering the United States, except such as are described in Rule 2 hereof.

Certification of, to collector;

Upon the arrival of any aliens at any seaport of the United States, the immigration officer in charge shall certify to the collector of customs the number of aliens on account of whom the tax is payable and the name of the person required to pay the same. Upon receipt of such certificate, the collector of customs shall forthwith collect a tax of four dollars for each alien so certified.

Deposit of;

The tax collected on account of aliens who are not permitted to land, but are held for examination by a board

Refundment of;

of special inquiry, and the tax collected on account of aliens permitted to enter for the purpose of passing in transit through the United States, shall be held as a special deposit, to be refunded, in the one case, when an alien detained for examination has been excluded, and in the other, when an alien proceeding in transit through the United States has left the country. The collections so

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Head tax:

made shall no longer be held on special deposit, but shall be accounted for in the regular manner, in the case of aliens detained for examination, so soon as it shall appear that they are admitted, and, in the case of aliens entering for the purpose of transit, if, at the expiration of thirty days, it is not shown that they have passed out of the country.

The head tax payable on account of aliens entering the United States from foreign contiguous territory shall be levied and collected, at Mexican border ports, according to the provisions of Rule 27 hereof, and at Canadian border ports according to the terms of an agreement between the Commissioner-General of Immigration and certain transportation companies, embodied in Rules 24 and 25 hereof.

Exemptions from;

RULE 2. *Exemptions from head tax.*—The head tax shall not be levied in respect of the following aliens:

Excluded aliens;

(*a*) Aliens who do not enter the United States because excluded from admission thereto by the Immigration Act. (Secs. 1 and 2.)

Diplomatic officers;

(*b*) Diplomatic and consular officers and other accredited officials of foreign governments, their suites, families, and guests coming to the United States to reside or to pass through in transit. (Sec. 41.)

Residents Canada, Newfoundland, Cuba, and Mexico;

(*c*) Aliens who shall enter the United States after an uninterrupted residence of at least one year, immediately preceding such entrance, in the Dominion of Canada, Newfoundland, the Republic of Cuba, or the Republic of Mexico. Satisfactory evidence of such uninterrupted residence will be required in the case of all aliens on whose behalf exemption from the payment of head tax is claimed on this ground. Immigration officers must exercise a wise discretion as to the nature and degree of proof which will suffice in particular cases. A reasonable degree of certainty as to the truth of the claim will be sufficient. The sworn statements of two credible witnesses, who are in a position to know, may be accepted. (Sec. 1.)

Residents insular possessions;

(*d*) Aliens, otherwise admissible, who are residents of any possession of the United States, provided at the time of admission to such possession head tax was paid on their account. (Sec. 1.)

Transits;

(*e*) Aliens who enter the United States only for the purpose of transit to foreign destinations. Collections made in respect of such aliens will be held on special deposit and will be refunded pursuant to Rules 1 and 41. (Sec. 1.)

Aliens in continuous journey;

(*f*) Aliens who have been lawfully admitted to the United States and who later shall go in transit from one part of the United States to another through foreign contiguous territory. Satisfactory evidence of such previous lawful admission and of previous payment of head tax shall be required in the case of aliens on whose behalf this exemption is claimed, as in paragraph (*c*) of this rule. Personal knowledge on the part of an immigra-

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Head tax:

tion officer, or a written statement from such an officer based on an examination of official records certifying to the fact of previous entry and payment of tax, will be sufficient. As evidence of the continuity of the transit, production of a dated passenger ticket, where such exists, may be required. (Sec. 1.)

At ports of Guam, Porto Rico, and Hawaii.

(*g*) Aliens arriving in Guam, Porto Rico, or Hawaii; but if any such alien, not having become a citizen of the United States, shall later arrive at any port or place of the United States on the North American Continent the provisions for the levy and collection of head tax shall apply. (Sec. 1.)

Immigrant fund:

Accounting for receipts for.

RULE 3. *Accounting for head tax and other receipts.*—All moneys collected on account of head tax, as well as all moneys collected for rentals of exclusive privileges at United States immigrant stations and all moneys collected as fines for violations of the immigration laws (whether imposed by the Department or the courts), shall be deposited to the credit of the Treasurer of the United States on account of the "immigrant fund," with an assistant treasurer of the United States, or national-bank depositary, in the same manner as other miscellaneous collections are deposited. Separate accounts of the receipts and expenditures of money under the act shall be rendered monthly to the Secretary of the Treasury through the Department of Commerce and Labor on forms to be furnished by the Government for the purpose.

RULES RELATING TO ADMISSION OR EXCLUSION.

Immigration Act:

To whom applicable.

RULE 4. *Application of Immigration Act.*—The provisions of the Immigration Act apply to all aliens seeking to enter the United States, except accredited officials of foreign governments, their suites, families, and guests. The act also prescribes the conditions of their admission to or exclusion from the United States, or any waters, territory, or other place subject to the jurisdiction thereof, except the Isthmian Canal Zone. The act becomes effective when such aliens arrive from any foreign country, or other place without the jurisdiction of the United States, or from the Canal Zone. The provisions of the Immigration Act do not apply to aliens who have once been duly admitted to the United States or any waters, territory, or other place subject to the jurisdiction thereof, proceeding to or from the continental territory of the United States, except aliens coming from the Canal Zone, and except Japanese or Korean laborers coming from Hawaii, with passports limited to Hawaii, Mexico, or Canada. The admission of aliens coming from the Canal Zone is governed by the regulations applicable to aliens generally; the admission of Japanese or Korean laborers to the continental territory of the United States is governed by the provisions of the Executive order of the President embodied in Rule 21 hereof.

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Examination: Who excludable upon;

RULE 5. *Examination of aliens.*—No alien who falls within one of the classes of persons enumerated and defined in section 2 of the Immigration Act or in the Executive order embraced in Rule 21 hereof shall be admitted to the United States, nor (with the exception of the Isthmian Canal Zone) to any waters, territory, or other place subject to the jurisdiction thereof. Every alien seeking to enter the United States, as thus defined, who does not fall within any of the classes so enumerated, shall be admitted.

Children under 16;

Children under sixteen years of age, unaccompanied by one or both of their parents, shall not be permitted to enter the United States, if it appears, or the circumstances indicate, that they are to be placed in forced or "padrone" servitude or in any employment unsuited to their years.

Primary inspection;

Every alien arriving at a port of the United States shall be promptly examined, as by law provided, either on shipboard or at some other place designated for that purpose. Every alien who may appear to the examining immigrant inspector to be clearly and beyond doubt entitled to land shall be at once admitted; every alien who may not appear to be clearly and beyond a doubt entitled to land shall be detained for examination by a board of special inquiry, which examination shall be promptly conducted separate and apart from the public, and, upon the conclusion thereof, the alien shall be either immediately landed or ordered excluded and returned to the country whence he came. If an appeal lies, the alien shall be informed of his right thereto, and the fact that he has been so informed shall be entered of record in the minutes of the board's proceedings. If the alien elects to appeal, he must, to enable officers to comply with the provisions of section 19, file notice of such appeal not less than forty-eight hours prior to the sailing of the first vessel by which his return may be effected, unless such sailing occurs less than forty-eight hours after the order of deportation is made. But in no event shall an appeal be considered after an alien has, in consequence of an adverse decision of a board of special inquiry, been transferred from an immigrant station to be excluded, unless such transfer has been made to prevent congestion, or danger of contagion, as provided by Rule 8 hereof.

Board special inquiry inspection.

Appeals: Notifying alien of right to; Filing notice of;

When permissible;

When not permissible;

RULE 6. *Appeals.*—An appeal may be taken from any decision of a board of special inquiry which determines whether an alien shall be admitted or excluded, by the alien himself or by a dissenting member of the board; but no appeal may be taken from a decision of a board of special inquiry, based upon the certificate of the examining medical officer, whereby an alien is rejected as being affected with tuberculosis or with a loathsome or dangerous contagious disease, or with any mental or physical disability which would bring such alien within any of

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Appeals:

the following excluded classes: Idiots, imbeciles, feeble-minded persons, epileptics, insane persons, persons who have been insane within five years previous, persons who have had two or more attacks of insanity at any time previously, persons certified as having a mental or physical defect which may affect the ability of the person to earn a living; but as to aliens coming within the last-mentioned class, namely, persons laboring under physical disability, they may nevertheless be admitted, in the discretion of the Secretary, as provided in Rule 20 hereof.

Notice of, to act as stay of deportation;

RULE 7. *Appeals, procedure.*—Notice of appeal shall act as a stay of all proceedings until a final decision is rendered by the Secretary; and, within forty-eight hours after the filing of such notice, the complete record of the case shall be forwarded to the Commissioner-General of Immigration by the immigration officer in charge at the port of arrival, accompanied by his views thereon in writing; but on such appeal of any case to the Secretary no evidence will be considered which has not already been passed upon in said case by a board of special inquiry at the original hearing, or upon a rehearing if so ordered. (See sec. 25.) If, to prevent a miscarriage of justice, additional time is granted to the friends or counsel of an appealing alien, the said immigration officer may require the deposit of a sum of money sufficient to defray the cost of maintaining appellant during the additional time thus allowed.

Evidence considered on;

Granting additional time for;

Making record of;

RULE 8. *Appeals, procedure.*—The commissioner of immigration or the immigration officer in charge at the port of landing shall enter of record the name of every alien found upon examination to be within any of the prohibited classes, with a statement of the decision in each case; and if such decision be appealed from immediately upon the receipt from the Department of its conclusions thereupon the alien shall be landed or deported in accordance with such conclusion. If a landing is refused on appeal, the master, agent, consignee, or owner of the vessel by which the said alien arrived shall be notified by the commissioner or officer in charge, and advised that the alien will be placed aboard the vessel of the line involved next sailing, for deportation. The commissioner or officer in charge at a port of entry where a detention station is located may, immediately upon exclusion, place debarred aliens on board the vessel by which they are to be deported, if in his judgment such action is necessary to prevent congestion or danger of contagion in such station. (See Rule 5.)

Notifying steamship of dismissal of.

Medical examination:

What surgeons to conduct;

RULE 9. *Medical examination.*—Officers of the United States Public Health and Marine-Hospital Service (or, if such officers are not available, civil surgeons of not less than four years professional experience) are required by section 17 of the Immigration Act to make a physical and

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Medical examination:

mental examination of all arriving aliens, and to certify for the information of immigration officers any and all physical and mental defects or diseases observed by them. Every officer of such Service detailed for this duty shall, subject to the instructions of the Surgeon-General of the Public Health and Marine-Hospital Service, be under the direction of the immigration officer in charge of the port to which he may be detailed.

Certificates covering, contents of;

The certificate of the medical officer shall state the physical or mental defect or disease observed, specifying the name by which it is known in common speech as well as the name by which it is known in medicine; and the certificate shall also state:

Insane within 5 years;

(*a*) Where an alien is certified as having been insane within five years previous, or as having had two or more attacks of insanity at any time previously, how the previous existence of the malady has been ascertained (sec. 2);

Contagious diseases;

(*b*) Where an alien is certified as being afflicted with a loathsome or dangerous contagious disease, that the disease named is in fact a loathsome or dangerous contagious disease, and is or is not of a quarantinable nature (secs. 2, 19);

Mental and physical defects;

(*c*) Where an alien is certified as having a mental or physical defect of a nature which may affect his ability to earn a living, or as being likely to become a public charge by reason of any mental or physical disability, the bearing of such mental or physical shortcoming upon the customary occupation of the alien and upon his general capacity for useful employment, whether such defect is of a temporary or permanent nature, and whether the deficiency of the alien has been corrected by artificial or educational means (secs. 2, 10, 26);

When hospital treatment required;

(*d*) Where an alien is certified for permission to land for medical treament in any hospital of the United States, or where it is certified that the health or safety of an insane alien would be unduly imperiled by immediate deportation, that the alien is not suffering from tuberculosis or from a loathsome or dangerous contagious disease of a nonquarantinable nature, and the probable duration of the alien's detention in hospital, asylum, or elsewhere (sec. 19);

For helplessness;

(*e*) Where an alien is certified as being helpless from sickness, mental or physical disability, or infancy, whether such alien requires the protection or guardianship of an attendant (secs. 11, 21);

Wives and minor children;

(*f*) Where the wife or minor children of a domiciled alien are certified as being affected with any contagious disorder, whether such disorder is a loathsome or a dangerous one, the probable length of time needed to determine whether the disorder will be easily curable, and whether they can be permitted to land without danger to other persons (sec. 37); and

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Medical examination:

Concerning affliction at time foreign embarkation.

(*g*) Where an alien is certified as being an idiot, imbecile, epileptic, or afflicted with tuberculosis or with a loathsome or dangerous contagious disease, whether the alien was so afflicted at the time of foreign embarkation, whether the existence of the disease or disability might have been detected by means of a competent medical examination at such time, how the previous condition of the alien has been ascertained, and the ground for believing that it might have been detected by a competent examination.

Landing for hospital treatment:

Conditions under which permissible;

RULE 10. *Landing for hospital treatment.*—Where an alien has been excluded by decision of a board of special inquiry, and where the order for the return of the alien has been suspended, or where the alien is held, pending the determination of his case, by order of court, to await transportation, on account of his health, because his testimony is required in the prosecution of offenders against the act, or for some other cause, an application may be made, accompanied by the certificate of the medical examiner, to the Secretary of Commerce and Labor for permission to allow the landing of the alien for hospital

Evidence required.

treatment or other appropriate care or attention. This application will be granted as of course where it is certified by the medical examiner that the health or safety of an insane alien would be unduly imperiled by immediate deportation, or where it is manifest to the Commissioner of Immigration, or the immigration officer in charge, that the condition of the alien requires immediate hospital treatment. In such cases, pending the decision of the Secretary, hospital treatment or other appropriate care or attention shall be immediately afforded. In all other cases the application will not be granted unless it clearly appears from the report of the commissioner of immigration, or the immigration officer in charge, or from other evidence accompanying the application, that such a course is necessary to meet the ends of justice and humanity. The landing or detention of an alien for the purpose contemplated by this rule shall not be construed in any manner to alter the status of the alien with reference to his right to enter or remain in the United States. (Sec. 19.)

Wives and children of domiciled aliens:

Landing of, for treatment;

RULE 11. *Detention of sick wives or children.*—Where, upon the arrival of the wife or minor child or children sent for by a domiciled alien, any of the former are found to be afflicted with a contagious disorder and it can not be immediately determined whether the disorder will be easily curable, they shall be held until a determination can be had, and an application may be made, accompanied by the certificate of the medical examiner, to the Secretary of Commerce and Labor for permission to allow the landing of such wife or child for hospital treatment or other appropriate care or attention. In such cases, where

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necessary, pending the decision of the Secretary, hospital treatment or other appropriate care or attention shall be immediately afforded. This application, or the accompanying papers, must clearly show that the husband or father has actually taken up his permanent residence in this country and has actually filed his declaration of intention to become a citizen of the United States, and that he is in fact the husband or father of the alien in question. Nothing contained herein shall be taken as in any manner affecting the liability of transportation companies under section 9 of the Immigration Act, or as altering the status of the aliens concerned with reference to their admission or exclusion. (See Rules 10 and 12.)

Wives and children of domiciled aliens:
Evidence required.

RULE 12. *Detention of attendants for helpless aliens.*—Where it is found that an alien is helpless from sickness, mental or physical disability, or infancy, and that, if excluded, he will require the protection and guardianship of an attendant upon his return to the country whence he came, if the alien arrives accompanied by others, not more than one of such accompanying aliens (preferably a natural guardian or relative) shall be detained to act if, in the judgment of the commissioner of immigration or the immigration officer in charge, such detention is necessary. Such detention shall not be deemed necessary, but is permissible, in quarantinable cases. If the alien arrives unaccompanied a suitable person shall be employed for the purpose. The expense incident to such detention or employment and to the transportation involved shall be borne by the transportation company. (Secs. 11, 19, 21.)

Helpless aliens:
Guardian en voyage for, when deported.

RULE 13. *Disabled aliens, procedure.*—A disabled alien, within the purview of Rules 10, 11, and 12 hereof, may be afforded the required medical treatment on board ship or in the detention quarters or may be removed to a suitable hospital for treatment, as in his discretion the commissioner of immigration or inspector in charge at the port may decide is required by existing circumstances and the condition of the alien's health as reported upon by the surgeon charged with the medical examination of aliens at such port. If such an alien is removed to a hospital, he shall not be regarded as in any sense landed, and the cost of his maintenance and care there must be paid by the transportation company by which he is brought to the port to the same extent as though he were held on board ship or in a detention station. If in the judgment of the commissioner or inspector in charge, based upon the expressed opinion of the medical examiner, it is necessary as a measure of humanity or for the proper care of the alien so removed to hospital to also place in the hospital a suitable attendant or some person who is dependent upon the disabled alien, or the reverse, the cost of the

Disabled aliens:
Hospital treatment of;
Expense of, borne by transportation company;

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Disabled aliens:

detention in hospital of such additional person must also be borne by the interested transportation company. Bills for hospital treatment and maintenance in such cases shall be rendered monthly by the hospital against the steamship companies responsible, through the office of the commissioner or inspector in charge, the latter's approval to be attached to the bills, if found correct, before forwarding them to the companies for settlement, in accordance with the provisions of section 19 of the Immigration Act. Officers of the immigration service will in all such cases look to the steamship companies for settlement of the hospital bills, and will take no part in any arrangements affecting the matter which such a company may have made or may make with the alien or his friends.

Result of refusal to pay expense.

If any steamship company refuses to pay bills for hospital treatment rendered against it, with the approval of the immigration officials, as prescribed in this rule, it will, of course, be necessary to require thereafter that all aliens brought by the vessels of such company shall be held on board ship until their applications for admission have been finally granted or denied.

Witnesses:

Holding aliens to act as.

RULE 14. *Holding of aliens as witnesses.*—When it is thought that the deportation of an excluded alien should be suspended so that his testimony may be had in a prosecution of offenders against the Immigration Act, in reporting to the Bureau the violation of law involved immigration officials should give reasons for the belief that the violators should be prosecuted and the aliens held as witnesses, and if such reasons are found sufficient, authority will issue, with the approval of the Secretary, for the holding of the witnesses at the expense of the "immigrant fund." (Sec. 19.)

Assisting and protecting aliens:

Providing means in case of accident;

RULE 15. *Assistance to admitted aliens.*—Any alien who has been admitted may be permitted to wait for friends or remittances upon payment by him of the actual expenses incurred by reason of such delay. In case such an alien is unable, from accident or other unavoidable circumstances, to immediately continue his journey, and is without sufficient means to defray the expense of his enforced delay, the commissioner of immigration may, in his discretion, pay said expense, reporting said case to the Bureau of Immigration and Naturalization, with reasons for his action, and request that such expense be repaid out of the "immigrant fund."

Charges for care and maintenance:

Not to exceed actual cost.

RULE 16. *Charges for care and maintenance.*—At ports where the Immigration Service maintains hospitals no charge for food, lodging, or maintenance, or for hospital attendance, medicines, or other hospital expenses shall be made in excess of the actual cost of furnishing the same, the intention being to make the Service self-supporting without profit.

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Members boards special inquiry:

Oath to be taken by.

RULE 17. *Oath, board of special inquiry.*—Any immigration or other Government officer appointed to serve on a board of special inquiry under the provisions of section 25 of the Act approved February 20, 1907, shall be required to subscribe to the following oath:

I, _____, having been designated by _____ _____ to serve as a member of a board of special inquiry, under the provisions of section 25 of the act of Congress approved February 20, 1907, do solemnly _____ that I will use my best endeavors as a member of such board to enforce the laws of the United States relating to the admission or exclusion of certain classes of aliens, and that I will well and faithfully discharge the duties of the office mentioned.

_____ and subscribed before me this _____ day of _____ _____, A. D. 190__.

[Official seal.] _____

Attorneys:

Fees to be charged by;

RULE 18. *Appearance of attorneys.*—Attorneys and persons appearing in behalf of detained aliens shall not be permitted to charge a sum exceeding ten dollars in each case unless the commissioner or officer in charge shall, in writing, allow an additional compensation. A family or party of aliens traveling together shall be regarded as constituting a "case" within the meaning hereof. If for any special reason an attorney deems himself entitled to a larger fee, or if it is actually necessary for such attorney to incur expense in an alien's behalf, he shall report such facts to the commissioner or officer in charge when applying for the privilege of charging an additional fee or claiming reimbursement for expenses, and, if permission is granted, shall collect such additional fee or expenses only through the commissioner or officer in charge. Anyone charging an alien a fee prior to his detention, or charging or receiving from an alien or his relatives or friends a fee, gift, or compensation for his services in excess of the above rate, except in the manner provided, or who shall deprive an alien of any part of his chattels or effects in lieu of, or as security for, said fee, will, upon reasonable proof of such misconduct, and after having been allowed a fair opportunity to answer the charge, be disbarred by the Department (to which a full report of the matter shall be made) from practicing at any immigration station of the United States. The names and addresses of attorneys or other persons so disbarred shall be conspicuously posted at the immigration station where the misconduct occurred and their names recorded in the office of the Commissioner-General of Immigration.

Method of disbarring for misconduct;

Keeping record of.

Notice of sailings:

Masters of vessels to give.

RULE 19. *Notice of sailings.*—The master, agent, owner, or consignee of any vessel on which aliens are brought to the United States shall, at least twenty-four hours in advance thereof, notify the commissioner of immigration

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or officer in charge of the intended time of sailing of such vessel, in order that such officer may place on board the vessel every alien brought thereon who has been finally refused a landing.

Admission under bond:

Cases in which permissible; Procedure for;

RULE 20. *Admissions under bond.*—Where an alien is liable to be excluded because likely to become a public charge or because of physical disability and it is found that the alien is not afflicted with tuberculosis or with a loathsome or dangerous contagious disease and that he is otherwise admissible, and, after notice of his right to do so, the alien signifies his intention of applying for admission under bond, the board of special inquiry shall not pass upon the alien's right to enter as in other cases, but shall make a special finding of fact in the premises and report the same, including the certificate of the medical examiner, to the immigration officer in charge, who shall forward the report, together with his recommendation, to the Secretary of Commerce and Labor, through the Commissioner-General of Immigration. If, in the exercise of the discretion conferred by law, the Secretary decides to admit the alien, a bond will be required in an amount which in no case shall be less than five hundred dollars, and the sureties thereto shall be parties of known and ascertained responsibility and approved by the commissioner of immigration or immigration officer in charge. The bond shall be executed in duplicate on forms supplied by the Bureau, but shall not be accepted until authorized by the Department.

Amount of bond;

Sureties on bond.

Japanese and Korean laborers:

RULE 21. *Japanese and Korean laborers.*—The following rule is promulgated for the purpose of giving effect to an Executive order of the President issued on March 14, 1907, reading:

President's proclamation concerning;

Whereas, by the act entitled "An act to regulate the immigration of aliens into the United States," approved February 20, 1907, whenever the President is satisfied that passports issued by any foreign government to its citizens to go to any country other than the United States or to any insular possession of the United States or to the Canal Zone, are being used for the purpose of enabling the holders to come to the continental territory of the United States to the detriment of labor conditions therein, it is made the duty of the President to refuse to permit such citizens of the country issuing such passports to enter the continental territory of the United States from such country or from such insular possession or from the Canal Zone;

And Whereas, upon sufficient evidence produced before me by the Department of Commerce and Labor, I am satisfied that passports issued by the Government of Japan to citizens of that country or Korea and who are laborers, skilled or unskilled, to go to Mexico, to Canada and to Hawaii, are being used for the purpose of enabling the holders thereof to come to the continental territory of the United States to the detriment of labor conditions therein;

I hereby order that such citizens of Japan or Korea, to wit: Japanese or Korean laborers, skilled and unskilled, who have received passports to go to Mexico, Canada or Hawaii, and come therefrom, be refused permission to enter the continental territory of the United States.

It is further ordered that the Secretary of Commerce and Labor be, and he hereby is, directed to take, through the Bureau of Immi-

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gration and Naturalization, such measures and to make and enforce such rules and regulations as may be necessary to carry this order into effect.

Japanese and Korean laborers:

(*a*) Aliens from Japan and Korea are subject to the general immigration laws.

Subject to general immigration laws;

(*b*) Every Japanese or Korean laborer, skilled or unskilled, applying for admission at a seaport or at a land-border port of the United States and having in his possession a passport issued by the Government of Japan, entitling him to proceed only to Mexico, Canada, or Hawaii, shall be refused admission.

Limited passports held by;

(*c*) If a Japanese or Korean laborer applies for admission and presents no passport, it shall be presumed (1) that he did not possess when he departed from Japan or Korea a passport entitling him to come to the United States, and (2) that he did possess at that time a passport limited to Mexico, Canada, or Hawaii.

Presumptions concerning;

(*d*) If a Japanese or Korean alien applies for admission and presents a passport entitling him to enter the United States or one which is not limited to Mexico, Canada, or Hawaii, he shall be admitted, if it appears that he does not belong to any of the classes of aliens excluded by the general immigration laws.

Passports to U. S. or unlimited;

(*e*) If a Japanese or Korean alien applies for admission and presents a passport limited to Mexico, Canada, or Hawaii, and claims that he is not a laborer, either skilled or unskilled, reasonable proof of this claim shall be required in order to permit him to enter the United States.

Evidence as to status of;

(*f*) When a Japanese or Korean alien is rejected as being a skilled or unskilled laborer holding a passport limited to Mexico, Canada, or Hawaii, he shall be allowed the right of appeal to the Secretary of Commerce and Labor under the same conditions as attach to aliens rejected under the general immigration laws.

Appeal by;

(*g*) If a Japanese or Korean skilled or unskilled laborer is found in the continental territory of the United States without having been duly admitted upon inspection, the procedure employed under the general immigration laws for the arrest and hearing of aliens who have entered the United States surreptitiously shall be observed, to the end that the right of such alien to be and remain in the United States may be determined; and if it shall appear that such alien falls within the class excluded by the foregoing Executive order, and has entered the United States since the 14th of March, 1907, the said alien shall be deported according to the provisions of sections 20, 21, and 35 of the act of Congress approved February 20, 1907.

Arrest of;

Deportation of;

(*h*) In case any Japanese or Korean is detained or denied admission by virtue of the foregoing Executive order, he shall, in addition to being informed of his right of appeal to the Secretary of Commerce and Labor, be advised that he may communicate by telegraph or other-

Right of, to communicate with diplomatic officers;

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Japanese and Korean laborers:

wise with any diplomatic or consular officer of his Government, and shall be afforded opportunities for so doing.

Courtesy and consideration due to;

(*i*) The officials of the Department charged with the enforcement of the immigration laws are instructed that in the execution of this rule scrupulous care shall be taken to see that the courtesy and consideration which the Department requires in the case of all foreigners, of whatever nationality, are shown to those affected by this rule. All officers of this Department are hereby warned that no discrimination will be tolerated, and that those coming under this rule must be shown every courtesy and consideration to which the citizens of most favored nations are entitled when they come to the United States.

Definition of term "laborer, skilled and unskilled."

(*j*) For practical, administrative purposes, the term "laborer, skilled and unskilled," within the meaning of the Executive order of March 14, 1907, shall be taken to refer primarily to persons whose work is essentially physical, or, at least, manual, as farm laborers, street laborers, factory hands, contractors' men, stable men, freight handlers, stevedores, miners, and the like; and to persons whose work is less physical, but still manual, and who may be highly skilled, as carpenters, stone masons, tile setters, painters, blacksmiths, mechanics, tailors, printers, and the like; but shall not be taken to refer to persons whose work is neither distinctively manual nor mechanical, but rather professional, artistic, mercantile, or clerical, as pharmacists, draftsmen, photographers, designers, salesmen, bookkeepers, stenographers, copyists, and the like. The foregoing definition is subject to change, and will not preclude the Secretary of Commerce and Labor from deciding each individual case which comes to him by way of appeal in accordance with the particular facts and circumstances thereof.

Seamen:

RULE 22. *Seamen.*—In view of the opinion of the Attorney-General of the United States of September 10, 1901 (23 Op. At. Gen., 521), immigration officials will make such an investigation of every vessel arriving at a port of the United States from any other than a mainland or continental port thereof as will enable them to ascertain the members of its respective crew who are aliens, as well as the intention of such alien members in seeking a landing.

Alien crews to be inspected;

When reshipment intended, not subject to laws;

(*a*) Alien seamen who seek to land, in the regular course of their pursuit, with the bona fide intention of departing as soon as practicable upon some outward-bound vessel, are not to be held for examination touching their right to land under the various acts regulating immigration into the United States, nor shall the masters of the vessels upon which they come to a port of the United States be charged on their account with the head tax prescribed by section 1.

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Seamen:

Discharged or deserting, subject to laws;

(*b*) Alien seamen who are discharged, or who have deserted their vessel at a port of the United States with any other object in view than departing as described in the next preceding paragraph (*a*) are in no respect to be distinguished, on account of their prior calling or occupation as seamen, from other aliens seeking admission to this country, either as regards collection of head tax on their account or as respects the examination and determination of their right to remain, under the various acts regulating immigration.

Aliens not seamen charged on ship's articles, subject to laws;

(*c*) All aliens other than bona fide seamen signed on the ship's articles of any vessel and landing at a port of the United States shall be examined and in all respects regarded as alien passengers on account of whom the head tax should be collected, and shall be admitted or returned to the countries whence they came in accordance with the laws and regulations governing immigration.

Procedure when seamen ill and law of vessel's country requires return home;

(*d*) If, upon the arrival of a vessel from a foreign port, it is discovered that any alien member of the crew of such vessel is ill or disabled to such an extent as to make it obligatory upon the master of the vessel, under the navigation laws of the country to which the vessel belongs, to return the seaman to the country where he embarked, immigration officials will confer with the master and with the consular representative of the country to which the vessel belongs, with the object of perfecting plans by which the master may be able to observe the laws of his own country without violating the immigration laws of the United States. If the disabled seaman relinquishes his calling, he will be treated like any other alien seeking admission to the United States, and if, upon being brought before a board of special inquiry, his rejection is ordered, the master of the vessel shall be required to return him by such vessel, or at his own expense, to the country where he embarked. If the seaman does not relinquish his calling it will be permissible for him to pass through the United States in transit to the country where he embarked by the most expeditious and direct route; provided that if he is suffering with a dangerous or a loathsome contagious disease, or with tuberculosis, or is in such physical or mental condition as to render him a person likely to become a public charge, arrangements are made for his proper guarding and care while passing through the country, and a sufficient sum to defray the expenses thereof is furnished by the master of the vessel. This being a provision made in the interest of trade and because of the peculiar position occupied by seamen under principles of international comity, immigration officials will exercise care to insure a thorough understanding with all parties concerned that violations of the immigration laws may be provided against, and that the spirit of foreign laws may be observed.

Care to be exercised concerning ill seamen allowed transit;

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Seamen:
Certificates to facilitate above objects.

(*e*) To facilitate these objects, every alien seaman desiring shore leave, or to come ashore for the purpose of reshipment in another vessel, or for any purpose in pursuit of his calling, may apply to the commissioner of immigration or to the immigration officer in charge at the port of arrival for a certificate upon a form prescribed by the Commissioner-General of Immigration, which shall entitle him to shore leave or the right to transship or pursue his calling without further inspection or examination.

Stowaways:
To be treated like other aliens.

RULE 23. *Stowaways.*—The Immigration Act contains no provision expressly relating to stowaways. Such persons must be dealt with, therefore, if they seek admission to the United States, precisely as other aliens are dealt with.

Alien stowaways must be reported and manifested by the masters of vessels, immediately upon arrival at a port of the United States, in the same manner as other aliens: *Provided, however*, That the name of every such person shall be followed by the word "stowaway." Head tax shall be certified on their account, and they shall be examined under the Immigration Act touching their right to enter the United States.

Ports of entry, Canada:
List of.

RULE 24. *Ports of entry, Canada.*—In accordance with section 36, the following are named as Canadian border ports of entry for aliens; and any alien who enters the United States across such border at any other point shall be deemed to have entered the country unlawfully, and shall be arrested and deported under sections 20, 21, and 35 of said act, in the manner provided by Rule 34 hereof: Eastport, Calais, Vanceboro, Houlton, and Lowelltown, Me.; Beechers Falls, N. H.; Island Pond, Newport, Richford, St. Albans, Swanton, and Alburg, Vt.; Rouses Point, Malone, Fort Covington, Nyando, Ogdensburg, Morristown, Clayton, Cape Vincent, Charlotte, Lewiston, Niagara Falls, and Buffalo, N. Y.; Detroit, St. Clair, Port Huron, and Sault Ste. Marie, Mich.; Duluth, Beaudette, and Noyes, Minn.; Pembina, Neche, Portal, and St. John, N. Dak.; Sweet Grass and Gateway, Mont.; Porthill and Eastport, Idaho; Marcus, Oroville, Sumas, and Blaine, Wash.

Canadian agreement:
Admission under;

RULE 25. *Admission and exclusion, Canadian ports.*—In view of the agreement between the various steamship and railroad companies in the Dominion of Canada and the Commissioner-General of Immigration of the United States of America, inspection and entry of aliens into the United States from foreign countries, through Canadian territory, under the Immigration Act, will be accomplished in accordance with the following provisions:

Seaports of inspection;

(*a*) All aliens arriving in Canada, destined to the United States, shall be inspected at any one of the following ports: Halifax, Nova Scotia; Quebec and Point Levi, Quebec; St. John, New Brunswick; and Vancouver and

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Victoria, British Columbia; and the holders of certificates, duly signed by the United States commissioner of immigration for Canada, shall be entitled to admittance to the United States, at any one of the places of entry along the border thereof named in Rule 24, without further examination by the United States immigration officers as to their right to enter, upon their identification and their surrender of said certificates to such officials. Canadian agreement: Certificates of admission;

(*b*) The said certificates shall be in the following form: Form of;

Alien certificate. No. ____

DEPARTMENT OF COMMERCE AND LABOR,
IMMIGRATION SERVICE,

_____, _____.

This is to certify that _____, a native of _____, who arrived at the port of _____, per steamship "_____," on the _____ 190__, has been duly inspected and registered, and will be admitted into the United States upon proper identification and surrender of this certificate to any immigration officer at the frontier.

The description of the holder is as follows: Age, _____; height, _____; weight, _____; color of hair, _____; color of eyes, _____.

Remarks: [Note destination, etc.]_____

_____,
U. S. Commissioner of Immigration.

Surrendered at _____, to Inspector _____, _____, 190__.

(*c*) The examination at Canadian ports of all aliens destined to the United States shall be similar in all respects to that conducted at ports of the United States. Such aliens as, in the opinion of the examining inspector, are not clearly entitled to admission shall be taken before a board of special inquiry, the decision of which shall be final, unless reversed upon appeal, as provided for in section 25. Seaport examination by inspectors and boards;

(*d*) All aliens arriving at Canadian seaports, destined to the United States and who may be adjudged inadmissible thereto, shall be refused the certificates herein called for, and the steamship company bringing such aliens to such Canadian seaport shall be required to return them to the countries from which they respectively came. Deportation of rejected aliens;

(*e*) The masters, owners, or agents of vessels bringing aliens to Canadian ports, destined to the United States, shall be required to furnish to the United States immigrant inspectors in charge at such ports complete manifests and alphabetical books of all alien passengers arriving upon vessels of their respective lines, and, in addition thereto, complete manifests of all alien passengers destined to the United States such as are now required by law in the cases of vessels bringing aliens to the ports of the United States; and the said masters, owners, or agents shall pay to the United States commissioner of Manifests of incoming passengers; Payment of head tax;

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Canadian agreement: immigration for Canada the sum of four dollars for each and every alien brought to a Canadian port and destined to the United States: *Provided*, That no head tax shall be levied against or collected from Canadian steamship lines on aliens brought to Canada, destined to the United States, who are shown to belong to any one of the excluded classes and who are returned to the country whence they came. In addition to the foregoing, the Canadian steamship companies will furnish to the United States commissioner of immigration for Canada (for transmission to the Commissioner-General of Immigration) manifests of all passengers not citizens of the United States leaving the United States and proceeding by the vessels of such companies to foreign ports, as required in the cases of United States transportation companies by section 12.

Manifests of outgoing passengers;

Certificates of admission; (*f*) All aliens of the class upon whom head tax is chargeable not provided with certificates of the character described in paragraph (*a*) hereof who shall apply at the border between Canada and the United States within one year after arriving at a Canadian port shall be required to return to such port, or to any one of the ports designated in paragraphs (*a*) and (*f*) hereof, for guaranty of payment of head tax, examination, and the procurement of the certificate described in paragraph (*a*): *Provided*, That aliens destined in good faith to Canada, and who shall have settled at some point in the Dominion of Canada, who shall apply as above for admission to the United States within one year after arrival in Canada, shall be examined by the boards of special inquiry located at any one of the following points: Yarmouth, Nova Scotia; Montreal, Quebec; Newport, Vt.; Buffalo and Suspension Bridge, N. Y.; Detroit, Port Huron, and Sault Ste. Marie, Mich.; Duluth, Minn.; Winnipeg, Manitoba; Portal, N. Dak.; Sweet Grass, Mont., and Sumas and Blaine, Wash. That the decisions of the said boards of special inquiry shall have the same force and effect as decisions rendered by boards of special inquiry at seaports of the United States. That the various steamship lines shall return at their own expense, from some seaport of the Dominion of Canada or of the United States, as they may deem most practicable and may elect, to the trans-Atlantic or trans-Pacific country whence the aliens came, those aliens coming within the provisions of this paragraph who are shown to belong to any of the excluded classes mentioned in section 2, whenever in the judgment of the Secretary of Commerce and Labor the deportation of such aliens in the manner described is deemed necessary to safeguard the interests of the United States.

Extra boards;

Effect of board decision;

Deportation of aliens rejected by boards;

Facilities at seaports; (*g*) All facilities in the way of accommodations, access to aliens, and the keeping of aliens apart from the public until after inspection shall be afforded to the immi-

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grant inspectors of the United States at the Canadian ports of landing to enable them to make such inspection as is required by the laws of the United States. Canadian agreement:

(*h*) It is expected that the railway and other transportation companies in the Dominion of Canada will not sell to any aliens en route to any part of the United States tickets for their transportation, or transport them in cars or vessels from the port of entry, until after they have exhibited their certificates as herein provided, and will not knowingly transport into the United States any rejected or undesirable aliens or those who are by law prohibited from entering said country, but will return the rejected aliens to the ports at which they arrived. All aliens on account of whom the transportation companies are exempted from payment of head tax, who proceed to the border between the United States and Canada without having first been examined and granted a certificate of admission of the character described in paragraph (*a*) hereof, and who may be excluded by a border board of special inquiry, shall be returned by the transportation company carrying said aliens to the border a reasonable distance in Canada from said border. Aliens of the class last above mentioned carried to a border point where there is no board of special inquiry shall be returned and conveyed for examination to the nearest point at which a board of special inquiry is located. Certificates of admission; Prerequisite to transportation; Returning aliens not holding certificates of admission; Examination before boards;

(*i*) The various steamship lines, parties to the Canadian agreement, shall return at their own expense, at any time within three years from the date of landing in Canada, from some Canadian port, or when that is not practicable from some port of the United States, such aliens as, having been brought into the Dominion of Canada upon their respective lines and having subsequently proceeded to the United States, are shown to belong to any one of the excluded or deportable classes mentioned in the act of Congress approved February 20, 1907, whenever deportation of such an alien is ordered by the Secretary of Commerce and Labor. Deportation of excluded and deportable classes;

(*j*) The immigration regulations adopted by the Department of Commerce and Labor relating to the examination of aliens at ports of the United States shall apply, in so far as may be practicable, to the inspection of aliens coming through the Dominion of Canada destined to the United States. Application of regulations to aliens coming through Canada;

(*k*) All aliens of the taxable class seeking to enter the United States from Canada or Newfoundland shall be denied examination under the United States immigration laws (except to a sufficient extent to determine their liability for head tax) until they present to the examining officer or officers a certificate from a duly appointed agent of the transportation company bringing such aliens to the border, guaranteeing that responsibility for the payment of head tax on account of such aliens will be as- Guaranteeing payment of head tax;

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Canadian agreement:
Returning head tax certificate;

sumed by said transportation company, certificate guaranteeing payment of head tax being returnable to the applicant for admission in the event of his exclusion, such certificate before its return to the alien to have the word "Rejected" stamped or written in red ink across its face.

Disposition of head tax collected in Canada;

(*l*) All moneys collected as provided in paragraph (*e*) hereof shall be transmitted by the United States commissioner of immigration for Canada to an assistant treasurer of the United States in the same manner as other miscellaneous collections are reported by collectors of customs of the United States, to be deposited to the credit of the Treasurer of the United States on account of the "immigrant fund." Statement of such receipts, under this agreement, must be rendered monthly to the Secretary of Commerce and Labor, on forms provided for that purpose.

Commissioner bonded;

(*m*) Said United States commissioner of immigration for Canada shall give bond to the United States in the sum of ten thousand dollars, with sureties approved by the Secretary of Commerce and Labor, conditioned for the faithful discharge of his duties and the remittance of above collections. He shall make monthly reports to the Commissioner-General of Immigration, upon blanks to be furnished by the Department of Commerce and Labor, of all aliens arriving at stations under the jurisdiction of the said commissioner of immigration.

Reports from Canadian border.

(*n*) United States officers charged with the execution of the immigration laws and regulations along the Canadian border will, at the end of each month and from time to time as may be required, report in writing to the United States commissioner of immigration for Canada, upon blanks to be prescribed by him, the number of aliens passing through their respective ports of entry and the Canadian ports at which they landed, and the said commissioner of immigration for Canada will make to the Commissioner-General of Immigration similar reports in consolidated form, comprising both ocean and border ports.

Ports of entry, Mexico:
List of.

RULE 26. *Ports of entry, Mexico.*—In accordance with section 36, the following are named as Mexican border ports of entry for aliens, and any alien who enters the United States across such border at any other point shall be deemed to have entered the country unlawfully, and shall be arrested and deported, under sections 20, 21, and 35 of said act, in the manner provided by Rule 34 hereof: Brownsville, Santa Maria, Hidalgo, Rio Grande City, Roma, Zapata, San Ygnacio, Laredo, Eagle Pass, Del Rio, Presidio, and El Paso, Tex.; Douglas, Naco, Lochiel, Nogales, Aros Ranch, and Crowleys Well, Ariz.; and Campo, Calexico, and Tia Juana, Cal.

Mexican border:
Inspection along;

RULE 27. *Admission and exclusion, Mexico.*—Aliens applying for admission at the Mexican border ports of entry named in Rule 26 are subject to examination in the same manner and to the same extent as though arriving at seaports, except in the following particulars:

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Mexican border:

Blanks to be used in collecting statistics and head tax;

(*a*) In the cases of aliens who are brought to said ports by a transportation or bridge company statistical data shall be gathered and information as to the manner in which head tax, if taxable, is to be assessed indicated by the use of a blank form reading as follows:

Report of inspection—Mexican border.

DEPARTMENT OF COMMERCE AND LABOR.
IMMIGRATION SERVICE,
PORT OF _____,
(*Date*) _____, *190*__

Name of passenger, _____; Age, _____; Sex, _____; Married or single, _____; Calling or occupation, _____; Read or write, _____; Nationality, _____; Race, _____; Last residence, _____; Final destination, _____; Ticket to destination, _____; Who paid passage? _____; Money, _____; Going to relative or friend; if so, whom? _____; Ever in U. S.? _____; if so, where and when; _____; Ever in prison, etc.? _____; Polygamist, _____; Anarchist, _____; Contract laborer, _____; Health, etc., _____; Whether in transit, and if so, how? _____; Admitted on primary inspection, _____; Held for board of special inquiry, _____; Whether taxable, and if so, transportation or bridge company or individual responsible for payment of head tax, _____

(*Signature*) _____
(*Title*) _____

Use of above blank;

(*b*) The above blank shall be used by every officer of the immigration service making examinations of aliens brought to Mexican border ports by transportation or bridge companies, and shall be filled out completely in each case and delivered to the inspector in charge at the port of entry, who will thereupon compile from such forms a detailed notice to the collector of customs, upon blanks which will be provided, reading as follows:

Blanks for reporting aliens subject to head tax;

Statement of aliens subject to head tax—Mexican border.

DEPARTMENT OF COMMERCE AND LABOR,
IMMIGRATION SERVICE,
OFFICE OF _____,
PORT OF _____,
(*Date*) _____, 190__.

COLLECTOR OF CUSTOMS,
Port (or district) of _____

I hereby certify that head tax has been incurred by _____ (transportation or bridge company or individual) _____ on account of alien passenger__ arriving by [a] _____ on this date, and duly admitted, as follows:

Aliens subject to head tax, at $4 each, as follows:

_____ $_____
_____ _____

Amount to be deposited on account of alien__ in transit (Rule 41) and held as special deposit (Treasury decision 24439), as follows:

_____ $_____
_____ _____

Total _____ $_____

(*Signature*) _____
(*Title*) _____

[a] Give train number or state mode of transportation.

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Mexican border:

Examination concerning funds in alien's possession.

(*c*) In the cases of taxable aliens who cross the border by other than regular (bridge or railway) transportation as a preliminary to regular examination under the laws, such alien shall be questioned only sufficiently to determine with precision whether, in the event that full examination should show him to be admissible, he is in financial condition to pay the four dollars head tax. If found to be in possession of sufficient funds in this respect, the examination may be completed, and if the alien is found eligible he shall be required to pay the head tax before being permitted to land; the blanks above given to be used for the purpose of certifying the head tax to the collector of customs.

Fines:

On account diseased aliens;

Manner of imposing;

RULE 28. *Fine, bringing of diseased aliens.*—As a means of enforcing the collection of any fine imposed under the provisions of section 9 of the Immigration Act, the said section directs the refusal of clearance papers to any vessel bringing an alien diseased as described therein to a port of the United States. To avoid, on the one hand, the denial of reasonable time to the master, agent, owner, or consignee to show cause why such fine should not be imposed and, on the other hand, the loss of the summary and effective means provided for the collection of such fines, the following instructions will be observed:

Medical certificates;

(*a*) The certificate of the medical examiner in the case of an alien afflicted with a loathsome or dangerous contagious disease shall state in terms whether, in his judgment, the "existence of such disease might have been detected by means of a competent medical examination at the port of foreign embarkation."

Notification;

(*b*) Upon the receipt of a medical certificate in compliance with the preceding paragraph hereof, the commissioner of immigration or inspector in charge at the port of arrival shall *at once* serve notice upon the master, agent, owner, or consignee of the vessel upon which such alien arrived in the following form, printed blanks for that purpose to be procured from the Department, viz:

Form of notice;

Notice of liability for fine on account of bringing diseased alien to the United States.

DEPARTMENT OF COMMERCE AND LABOR.
IMMIGRATION SERVICE,

[Prepare in triplicate.]

OFFICE OF_____,
PORT OF_____,
_____, 190__.

To_____
_____ of the steamship _____
[Master, agent, owner, or consignee.]

In conformity with the requirements of Rule 28 of the Immigration Regulations, you are hereby notified that the certificate of the examining surgeon, based upon a physical examination of the alien whose name is shown herein, indicates that a fine should be imposed under the provisions of section 9 of the Immigration Act approved February 20, 1907.

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If you desire a hearing as to whether a fine should be imposed in this instance, you will be allowed sixty days from the date of this notice for that purpose, and the vessel on which the said alien arrived will be granted clearance papers when she is ready to sail and allowed to proceed upon her outward-bound voyage, upon condition that you deposit with the collector of customs at this port, prior to her sailing, the sum of one hundred dollars as security for the payment of the said fine, should it be imposed. Fines:

Name of alien.	Steamship.	Disease.
----------	----------	----------

[Name.]

[Official title.]

Received the above notice----------, 190--, at--------M.

[Time.]

(Witness:)

(*c*) The notification shall be prepared in triplicate, the original to be delivered by an employee of the Immigration Service at the office of the master, agent, owner, or consignee to whom it is addressed, said employee to witness the signature of the recipient. Receipt of service shall be indorsed upon the duplicate and triplicate, the duplicate to be returned to the office of the commissioner of immigration or inspector in charge and preserved as proof of delivery, and the triplicate to be delivered to the collector of customs, who will withhold clearance papers until the deposit is made. Disposition of notice;

(*d*) The special deposit of one hundred dollars required to stay action for the period of sixty days shall be made to the collector of customs for the district wherein the port of arrival is located before such sailing, and in default thereof all further proceedings shall be discontinued and the facts certified to the Bureau of Immigration and Naturalization by first mail, together with the medical certificate and duplicate notice, in order that such action may be taken as the evidence requires. Deposit:

(*e*) If, after service of the notice as provided in paragraph (*b*) of this circular, the deposit of one hundred dollars has been made in conformity with the said notice, the commissioner of immigration or inspector in charge shall suspend further proceedings until the submission of the evidence offered to show why the said fine should not be imposed, or until the lapse of the specified period of sixty days thereafter. When the said evidence has been submitted it shall be forwarded, together with the certificate of the examining surgeon and duplicate notice, to the Commissioner-General of Immigration, for presentation to the Secretary of Commerce and Labor, by the said commissioner or inspector in charge, who shall at the same time present his written views as to whether the said fine should be imposed. If no evidence is submitted prior to the expiration of the said sixty days, then said commissioner or inspector in charge shall report the case, without Stay of action;

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Fines:

such evidence, for action by the Secretary of Commerce and Labor.

Final proceedings;

(*f*) Upon receipt of the decision of the Secretary of Commerce and Labor, a copy thereof shall be forwarded to the collector of customs, together with such data as may enable him to identify the special deposit made in that particular case. If the said decision imposes the fine, the one hundred dollars deposited as security shall be accounted for by the said collector in the usual manner as a fine; if the decision holds that the penalty has not been incurred, the collector of customs shall return to the depositor the amount deposited as security.

For nonmanifesting;

RULE 29. *Fine, failure to deliver manifests.*—If the master or commanding officer of any vessel bringing aliens to a United States port fails to deliver to the immigration officers at such port lists or manifests, as required by sections 12, 13, and 14, and it therefore becomes necessary to collect the fine imposed by section 15, the following instructions shall be observed:

Notice as to incoming passengers;

(*a*) Written notice, clearly setting forth the particulars in which the lists or manifests are deficient, shall be served upon the steamship company concerned, requiring such company, within the period of seven days from date of notice, to show cause why the statutory penalty should not be collected. Copies of notices and the responses thereto shall be kept of record.

Notice as to outgoing passengers;

(*b*) Similar notice shall be given by collectors of customs as a preliminary to collecting fines for failure to promptly furnish manifests of outward-bound alien passengers. (See Rule XXIX, statistical regulations.)

Can not be remitted;

(*c*) Under an opinion of the Attorney-General, the fine mentioned in this rule can not be remitted. (25 Op. At. Gen., 336.)

Aggregate not to exceed $100;

(*d*) In no case covered by this rule shall the aggregate amount of fines collected in any one instance of departure of a vessel exceed one hundred dollars.

Exemption on account diplomatic and consular officers;

(*e*) The detailed statistical information required under section 12 of the Immigration Act and section 1 of the naturalization act of June 29, 1906, shall not hereafter be required to be furnished in the cases of diplomatic and consular officers, and other officials duly accredited by their governments, together with their suites, families, and guests, coming to the United States or in transit. The names of all such diplomatic and consular representatives and their suites, families, and guests, with their respective titles, should, however, appear grouped together upon the manifest.

Questioning aliens concerning items lacking in manifests.

(*f*) As an additional precaution, all aliens examined at ports of entry, concerning whom complete information is not furnished in the manifests, should be questioned as to whether demand was made upon them by the representatives of the steamship company at the port of foreign embarkation for the items of information that are lack-

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ing; and in case such answer is in the negative, the affidavit of the alien shall be taken and filed for future reference if required.

Certificate of surgeon, regarding aliens aboard vessel: What acceptable.

(*g*) The certificate (unverified) of a responsible surgeon located at the point of embarkation or at the last port of call, prepared in the form appearing upon the reverse side of the manifest (Form 1500), shall be accepted as a sufficient compliance with section 14 requiring that when no surgeon sails with a vessel bringing aliens to the United States, the mental and physical examination of such aliens shall be made by "some competent surgeon employed by the owners of the said vessel."

Manifests: Alphabetical indexes of.

(*h*) There will be furnished to the steamship company by the Bureau of Immigration and Naturalization blank books suitable for use in the preparation of alphabetical indexes of manifests.

Fines: Method of reporting when U. S. attorney requested to prosecute.

RULE 30. *Fines, reporting of.*—The following method will be observed in reporting fines incurred under the immigration laws:

(*a*) Commissioners of immigration or inspectors in charge will, in all cases wherein a United States attorney is requested to institute proceedings for the recovery of prescribed penalties or to undertake criminal prosecution of an alleged offender against the immigration laws, make a report at the same time to the collector of customs for the district in which the offense was alleged to have been committed. Said report shall be rendered in every case which may arise, irrespective of the possible outcome of any legal proceedings, and shall embrace the following: (1) Date when offense was committed; (2) act, and section thereof, violated; (3) nature of offense; (4) name of offender; (5) nationality, kind, and name of vessel; (6) statutory amount of fine; (7) date of reporting case to United States attorney.

(*b*) Upon receipt of the above reports, the collector of customs will give each case a number in chronological order. When more than one section of a statute is violated by the same vessel, a separate case number will be given to each violation.

(*c*) At the close of each month, collectors of customs will render reports in the same manner as in the case of navigation and steamboat-inspection fines, viz: All fines incurred during the month must be reported on Form Cat. No. 1078, showing, under the heading "Remarks," the date when the case was reported to the United States attorney.

(*d*) All fines disposed of during the month must be reported on Form Cat. No. 1032. In connection with this form, the account current (Form Cat. No. 1030) must be used.

(*e*) At the close of June and December in each year, semiannual reports, on Form Cat. No. 1079, must be rendered, showing all unsettled cases on hand and explaining the cause of delay in disposing of them.

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RULES RELATING TO DEPORTATION.

Deportation, aliens subject to:

RULE 31. *Deportation, aliens subject to.*—Aliens of the following classes are subject to arrest, upon the warrant of the Secretary of Commerce and Labor, and to deportation to the country whence they came, at any time within three years after landing or entry:

Members excluded classes;

(*a*) Aliens who, at the time of entry, belonged to any of the classes of persons enumerated and defined in section 2 of the Immigration Act or in the Executive order of March 14, 1907, and who should, therefore, have been then excluded. (Secs. 20, 21.)

Public charges;

(*b*) Aliens who become public charges from causes existing prior to landing. (Sec. 20.)

Prostitutes;

(*c*) Alien women or girls who are found to be inmates of a house of prostitution or practicing prostitution. (Sec. 3.)

Those entering surreptitiously.

(*d*) Aliens who are found to have entered the United States at any other place than at the seaports thereof or at one of the ports or places designated in Rules 24 and 26 hereof, and aliens found to have entered at a seaport, but at any time or place other than as designated by the immigration officers. (Secs. 18, 38.)

Public charges from prior causes:

RULE 32. *Public charges from prior causes.*—The case of every alien found to have become a public charge from causes existing prior to landing should be reported to the immigration officer stationed nearest the place where the alien is confined. This report should be accompanied by an unequivocal certificate (Form 534 preferred) of the principal medical officer of the institution of which the alien is an inmate, setting forth the time when the alien was first admitted to the institution and became a charge thereon, the mental or physical disability of the alien in plain terms and the degree of helplessness to which the alien is reduced thereby, the cause or causes of the alien's becoming a public charge, whether such cause or causes existed prior to landing, and, if so, how the prior existence thereof is known. Sufficient data regarding time and port of arrival and the name of the vessel or transportation line which brought the alien should also accompany such report. Before applying for a warrant in accordance with Rule 34, the immigration officer to whom the foregoing report is made shall, whenever practicable, cause the alien to be examined by an officer of the Public Health and Marine-Hospital Service, whose certificate should accompany the application for a warrant.

Reporting cases of;

Medical inspection of.

Public charges:

RULE 33. *Public charges, medical certificate.*—In the event that the examining medical officer is able definitely to certify that an alien was, at the time of landing in the United States, afflicted with insanity, idiocy, imbecility, feeble-mindedness, epilepsy, tuberculosis, or a loathsome or dangerous contagious disease, such a certificate will be regarded as prima facie evidence of entry in violation of

Medical certificate concerning.

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section 2 of the Immigration Act, and, in the absence of satisfactory evidence to the contrary, the alien will be deported in accordance with the provisions of sections 20 and 21.

Deportation: Application for warrant of.

RULE 34. *Deportation, application for warrant.*—Every immigration officer receiving a report in conformity with Rule 32, accompanied by a medical certificate that complies with either Rule 32 or Rule 33, shall communicate with the officer in charge at the port of entry and, if landing is verified from the official records, shall make application for warrant in the manner provided by Rule 35. Such aliens will not be removed from the institutions in which they are confined until after due hearing and after an order of deportation is issued, or unless special instructions for removal are incorporated in the warrant.

Deportation, procedure:

RULE 35. *Deportation, procedure.*—In enforcing sections 20 and 21 of the act approved February 20, 1907, the following instructions regarding applications for warrants of arrest and deportation will be observed:

Application for arrest warrant;

(*a*) All applications for warrants must be made, if possible, upon blank form No. 565, which will be furnished upon written request to the Commissioner-General of Immigration, Department of Commerce and Labor, and which must be filled out in accordance with the printed lines contained therein, and be accompanied by the certificate of landing or entry (Form No. 564) hereinafter prescribed, or if not so accompanied the reasons for the absence of such certificate must be given, and in that case all the facts called for in the blank form of said certificate shall be set forth in the application, so far as the facts are ascertainable.

Affidavits to accompany;

(*b*) A full statement must be made in every such application of the facts, supported if practicable by affidavits, which show the presence in the United States of the alien whose arrest and deportation is sought to be in violation of law.

Verification of landing;

(*c*) The certificate of landing in or entry into the United States must contain a complete statement in detail of all the facts disclosed as to any such alien by the manifest or list containing his name, with an attached certificate by the officer in charge of such manifest that the information given agrees in all particulars with the record of such alien in said list or manifest.

Telegraphic application for arrest warrant;

(*d*) If the circumstances of any particular case necessitate resort to request by wire, such request must state that the foregoing regulations have been complied with, and that the form of application and certificate hereinbefore mentioned have been forwarded to the Department, and must give the substance of the statement of facts contained in the said application and certificate.

Issuance of arrest warrant;

(*e*) If, upon the receipt of any such application and certificate or of the request by wire provided for in paragraph (*d*), either completely in conformity with these

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Deportation, procedure:

regulations or accompanied by a satisfactory explanation of inability to comply therewith, it appears to the Secretary that the alien whose arrest and deportation is sought is in the United States unlawfully and that the time within which he can be deported has not expired, a warrant for his arrest will be issued directing that he be taken before an officer or officers named therein, and there be given full opportunity to show cause, if there be any, why he should not be deported, and as soon as arrested said alien shall be apprised of his right to be represented by counsel, and he and his counsel shall have the right to inspect all the evidence upon which the Secretary has acted in directing said alien's arrest, and be given an opportunity to offer evidence and submit an argument in his behalf, and be given an opportunity to inspect and make a copy of the report of the hearing and of the findings of the officers before whom it is held. In case said alien is unable to understand or to speak the English language, an interpreter shall, if possible, be secured for the hearing, authority for payment of a reasonable compensation to be obtained by special request therefor; and in the event that the alien is physically or mentally incapable of testifying, his relatives, friends, or acquaintances shall be questioned.

Hearing under arrest warrant;

Medical certificate;

(*f*) The record of the hearing accorded an alien who is insane or has become a public charge shall be supplemented by a *written* certificate of the medical officer in charge of the institution in which the alien is confined, showing whether such alien is in condition to be deported without danger to life.

Release under bond;

(*g*) Pending decision upon the case the arrested alien shall be released from custody, provided there is furnished, as required by the proviso to section 20, a satisfactory bond, running to the United States and conditioned for the production of the alien to the immigration officers for hearing or hearings and for deportation in the event of the issuance of a departmental warrant of deportation. The sureties on such bond shall be parties of ascertained responsibility; and in preparing the bond a blank form supplied by the Bureau of Immigration and Naturalization will be used.

Sureties on bond;

Issuance of deportation warrant;

(*h*) If, after the receipt of the report of such hearing, accompanied by the findings of the officers before whom it was held, it shall appear to the satisfaction of the Secretary, from all the evidence, that such alien is in the United States in violation of law and that the time within which he can be deported has not expired, a warrant will be issued for his deportation.

Care to be exercised in conducting investigation.

(*i*) Officers are directed to make thorough investigation of all cases where they are credibly informed, or have reason to believe, that a specified alien is in the United States in violation of law. It is not permissible for officers to resort to any form of intimidation, by threats, violence, or otherwise, in order to extort from

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any suspected alien or from any other person the information to be embodied in the application for the warrant of arrest. Officers are specially cautioned not to lend their aid in causing the arrest of aliens upon charges arising out of personal spite or enmity, unless the truth of such charges is clearly established.

Arrest and deportation:

Expense of maintenance during proceedings, how borne;

RULE 36. *Deportation, cost of maintenance.*—The cost of maintaining aliens during the pendency of warrant proceedings under the preceding rule is a proper charge against the appropriation "Expenses of regulating immigration;" but in the cases of aliens who have become public charges from causes existing prior to landing in the United States, such cost shall not be allowed for any period preceding the date of original notification to an officer of the Immigration Service, and even then only in the event that the Department, upon investigation, orders the deportation of the alien. If proceedings against a procurer or contractor are instituted in accordance with section 3, 5, or 20 of the Immigration Act, immigration officers should report to the United States district attorney the amount of the cost of deporting the alien, including one-half of the entire cost of removal to the port of deportation, so that a proper effort may be made to recover such expense from the procurer or importer and the reimbursement of the Government and the transportation company for their respective parts thereof.

Method of obtaining reimbursement when importers are prosecuted.

Deportation:

Method of providing attendant when necessary;

RULE 37. *Deportation, attendant.*—When deportation is to be effected under sections 20 and 21, and the mental or physical condition of the alien under order of deportation is such as to require, in the opinion of the investigating officer and of the physician (if practicable, an officer of the Public Health and Marine-Hospital Service) having personal knowledge of the condition of the alien's health, the care of a personal attendant while en route to final destination, the reasons for such belief shall be stated when reporting the hearing had under the warrant of arrest, so that proper provision may be made for the detail or employment of an attendant. The expense incident to the employment of such an attendant will be borne in the same manner as the expense of effecting the deportation of the alien.

Manner of bearing expense of attendant;

To be to transoceanic port;

RULE 38. *Deportation, where to.*—The deportation of aliens as prescribed in Rules 30 to 36 hereof shall be to the foreign trans-Atlantic or trans-Pacific port from which such aliens embarked for the United States; or, if such embarkation was for foreign contiguous territory, to the foreign port at which they embarked for such contiguous territory. (Sec. 35.)

Of public charges from subsequently arising causes;

RULE 39. *Deportation by consent.*—Any alien who has been lawfully landed, but who has become a public charge from subsequently arising physical inability to earn a living, may, by consent of the alien and with the approval of the Bureau of Immigration and Naturalization, be deported within one year from date of landing at the

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Deportation: expense of the immigrant fund: *Provided*, That such alien is delivered to the immigration officers at a designated port free of charge; and the charges incurred for the care and treatment of any such alien in any public or charitable institution from the date of notification to an officer of the Bureau until the expiration of one year after landing may be paid from the immigrant fund at fixed rates agreed upon.

Expense, how borne.

RULES RELATING TO TRANSIT.

Transits:

RULE 40. *Aliens in transit.*—Every alien seeking a landing for the purpose of proceeding directly through the United States to a foreign country shall be examined, and, if found to be a member of any one of the excluded classes, shall be refused permission to land, in the same manner as though he intended to remain in the United States. Cases where a refusal of the privilege would entail exceptional hardship may be reported to the Secretary for a special ruling.

To be examined;

Cases exceptional hardship to be reported.

RULE 41. *Aliens in transit, head tax for.*—(*a*) No alien desiring admission at a port of the United States for the professed purpose of proceeding directly therefrom to foreign territory shall be permitted to land thereat except after deposit with the collector of customs at said port, by the master or owner of the vessel or by a representative of any other mode of transportation by which such alien is brought, of the amount of the head tax (four dollars) prescribed by section 1 of the Immigration Act, said amount to be refunded upon proof satisfactory to the immigration officer in charge at the port of arrival that said alien has passed by direct and continuous journey through and out of the United States within thirty days from the date of admission, proof of such departure to be furnished within thirty days from the date of such departure. Special deposits of head tax on account of aliens in transit will, at the expiration of thirty days, be covered into the Treasury as head tax, the cases in which proof of departure is received after thirty days to be reported to the Bureau of Immigration and Naturalization for special authorization, under the provision incorporated in the legislative, executive, and judicial appropriation act approved February 3, 1905.

Head tax must be deposited on account of;

To be refunded on proof of departure;

To be covered into Treasury at expiration of 30 days;

How then refundable;

(*b*) All aliens of the taxable class desiring to proceed in transit through the United States from the Dominion of Canada shall be required to furnish to the examining officer or officers guaranty of payment of head tax described in Rule 12 of these regulations. If admissible, aliens claiming to be in transit will be given certificate Form 523, providing for refund of head tax upon such certificate being properly indorsed by the alien and by the purser of the outgoing trans-Atlantic or trans-Pacific steamship upon which the holder of said certificate may

Special system of collecting and refunding head tax on transits from Canadian territory;

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depart from the United States; or, if the alien be passing in transit through the United States from one point in Canada to another point in Canada, then such indorsement to be made by the conductor of the train upon which the holder of the certificate departs from the United States. Transits:

(*c*) Refund of head tax will be made on aliens of the taxable class, arriving at Canadian, Atlantic or Pacific ports and desiring to proceed immediately in transit through the United States, to the transportation line responsible for payment of head tax on such aliens, upon proof satisfactory to the United States commissioner of immigration for Canada that said aliens have passed by direct and continuous journey through and out of the United States within the time limit specified in this rule. On those arriving at Canadian seaports.

MISCELLANEOUS RULES.

RULE 42. *Cattlemen.*—It is ordered that all cattlemen returning to ports within the United States holding certificates duly signed by a commissioner of immigration or an immigrant inspector shall be entitled, upon identification, to admission into the United States without further examination by the immigration officers, to whom said certificate must be presented and surrendered, which certificate must be as follows: Cattlemen: Admission of;

Stub.	*Cattlemen's certificate of admission.*
No.....	PORT OF.....,
Port of.....	, 190..
Date....., 190..	This is to certify that.....a native
Name.....	of.....age....., who is duly
Age	accredited an employee of.....
Native of.....	sailing on the steamship.....
Employed by	, 190.., is a cattleman from the
Of.....	port of..... United States of
A cattleman sailing on the steamship.....	America.
Surrendered at the port of	The holder of this certificate will be permitted to enter the United States as a returning cattleman on presentation of this certificate and proper identification by the immigration inspector.
....., 190..	
Height	Height.....
Weight.....	Weight
Color of hair	Color of hair
Color of eyes.....	Color of eyes
General remarks	General remarks.....
.....	
.....	
Signature of cattleman:	
.....	*Commissioner of Immigration.*

NOTE.—This certificate must be furnished by the steamship company to the commissioner of immigration, or immigrant inspector, at the port of departure. The certificate will be filled in by the United States officer and delivered to the captain of the vessel upon which the cattleman sails, who in turn will deliver the paper to the person in whose name it is issued, at the foreign port of destination, to enable the cattleman to return. Any alteration or erasure of this certificate renders it void, and if it is presented by any person other than its rightful owner it will be taken up and the holder subjected to the inspection required by law.

Form of certificate for.

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Immigration officials:
Administration of oaths by.

RULE 43. *Administration of oaths.*—The authority to administer oaths conferred upon immigration officials by section 24 of the Immigration Act is limited to matters "touching the right of any alien to enter the United States." When, therefore, such officials are detailed to investigate frauds or attempts to defraud the Government, or any irregularity or misconduct of any officer or agent of the United States, section 183 of the Revised Statutes should be relied upon for authority to administer oaths to witnesses.

Posting laws:
Filing certificate of.

RULE 44. *Posting of immigration acts.*—The certificate required by section 8 of the act of Congress approved March 3, 1893, that copies of the immigration acts have been duly posted, shall be filed with the Secretary of Commerce and Labor upon the first days of January and July of each year.

Official communications:
To be sent through official channels.

RULE 45. *Official communications.*—Officers employed in the administration of the immigration and Chinese-exclusion laws are notified that all communications to the Department upon official matters must be addressed to the Commissioner-General of Immigration or to the Secretary of Commerce and Labor through official channels.

Telegraphing:
Code for.

RULE 46. *Telegraphing.*—With the object of reducing the expense of telegraphing in connection with the official business of the Immigration Service, the telegraphic code provided by the Bureau of Immigration and Naturalization will be employed to the fullest extent possible.

Uniforms:
Officers required to wear;

RULE 47. *Uniforms.*—It is hereby ordered that inspection officers and employees of the Immigration Service stationed at ports or places of entry into the United States *and elsewhere* shall, while on duty, *unless otherwise specially directed in writing*, wear uniforms designated by the Bureau of Immigration and Naturalization, said uniforms to be purchased by the said inspectors and employees.

Particulars concerning—
Suits;

(*a*) UNIFORM SUITS: Uniform suits will be made of dark blue cloth. The following are the prescribed styles:

Suits for inspectors and assistant inspectors—Coats.—Double-breasted sack, four buttons on each side, ends cut square. Two lower outside pockets, one on upper left side and small ticket pocket on right side. All outside pockets to have flaps, except upper left-hand pocket. Two inside pockets. All pockets to be of liberal size.

Vests.—Single-breasted, six buttons, collar. Four pockets without flaps. Bone buttons.

Trousers.—Plain, with side pockets, two hip pockets, and watch pocket. No stripe. Band back and front on inside at bottom.

Suits for all other officials.—Same as above, except that coats shall be single-breasted instead of double-breasted.

Buttons;

(*b*) BUTTONS: The bone buttons upon suits will be of a special pattern designed to fit brass button shells (detachable) which must be affixed and worn in all cases

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while on duty. Button shells will be forwarded without cost upon application to the Bureau. Uniforms: Particulars concerning—

(*c*) CAPS: Contract has been made for uniform caps, which must be paid for by the employees, the cost per cap being two dollars. If money order for this sum is forwarded to the Bureau, through official channels, full name and title of employee and size of cap wanted being stated, the same will be ordered sent direct to purchaser, express charges collect. The winter cap is made of blue cloth and the summer cap of black silk. *Unless otherwise specified*, BLUE CLOTH cap will be furnished. Caps;

(*d*) CAP INSIGNIA: Caps will be provided with appropriate insignia and lettering without charge to employees, but orders must be placed through the Bureau in every instance. Cap insignia;

(*e*) COLLAR INSIGNIA: Inspectors in charge of stations, or of the various divisions at the principal ports of entry, will be designated by an appropriate legend worn on both sides of the front of the coat collar. These legends will be worked in gold letters upon blue cloth, and may be obtained free of cost upon application to the Bureau. The cloth strips will be attached to coat collars with hooks and eyes, so that they may readily be removed. Collar insignia;

(*f*) SERVICE INSIGNIA: Immigrant and Chinese inspectors one year in the service may be designated by a strip of gold braid upon the top of the cuff of the left coat sleeve 2 inches from the bottom of the sleeve and extending halfway around it. An additional strip may be added one-fourth inch higher than its predecessor for each year's completed service up to five years, when a small gold star may be worn in lieu of the braid, which should then be removed. For each year from five to nine, inclusive, a strip of gold braid may be added. Ten years' continuous service may be indicated by two stars, and so on. The equipments needed to comply with this requirement can be secured without charge upon application to the Bureau, the full name and exact service of the employee being stated. Insignia is issued to inspectors only. The length of service is reckoned from the date of original appointment as inspector, and must not include prior service in other capacities. In making request for insignia, give date of original appointment as inspector, or if at present wearing insignia, describe same and give date on which the last prior addition thereto was received from the Bureau. Service insignia;

(*g*) SEASONS: The time of changing from one weight of uniform to another will be governed by the change of seasons at the various stations of employees. Officers stationed in Hawaii and Porto Rico may wear white duck uniforms and caps, insignia for the latter to be procured free of cost upon application to the Bureau. Seasons;

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Uniforms:
Particulars concerning—
Light-weight uniforms;

(*h*) LIGHT-WEIGHT UNIFORMS: Officers and employees stationed at places where the climate is too warm to admit of comfort in wearing the regular summer uniform may have their uniforms made of light material suited to the locality, subject to the stipulation that the color and style shall conform to the requirements of paragraph (*a*) hereof. The special buttons required to fit brass shells may be procured from the Bureau.

Inspections;

(*i*) INSPECTIONS: Commissioners of immigration and inspectors in charge will make reports to the Bureau on the first days of January and July regarding the condition of each part of the uniform of every employee under their respective jurisdictions, each portion of every uniform being graded as excellent, good, fair, or bad, as the case may be. Form 596 will be used in making these reports, and if any reports showing the condition to be "bad" is made, the steps that have been taken to correct this condition should be noted.

New appointees;

(*j*) NEW APPOINTEES: Officers having charge of immigration stations, districts, or ports will require employees newly appointed and ordered to report to them for duty to provide themselves with standard uniforms within thirty days from the date of assignment to duty, and will see that the *full uniform* is worn by all employees, as herein provided.

STATISTICAL RULES.

Manifests required by law:
All passengers incoming;

RULE I. (*a*) The passenger act, approved August 2, 1882 (22 Stat., 186), and the act amendatory thereof, approved February 9, 1905 (33 Stat., pt. 1, p. 711), require that masters of vessels shall deliver to collectors of customs at United States ports lists or manifests of *all passengers* arriving from foreign ports.

Aliens incoming;

(*b*) By section 12 of the Immigration Act approved February 20, 1907, masters of vessels are required not only to furnish to immigration officers in charge at ports of arrival manifests of all *arriving aliens*, but also to deliver to collectors of customs at United States ports of departure manifests of all *departing aliens*. The said act also requires that manifests of aliens sailing from the Philippine Islands, Guam, Porto Rico, and Hawaii for any port of the United States on the North American Continent shall be delivered to the immigration officers at such continental port of arrival.

Aliens outgoing;
Aliens from insular possessions;

Blanks for, furnished by Department.

(*c*) Blank forms for use in the preparation of manifests are furnished by the Department, the numbers employed for the above-mentioned purposes, respectively, being: For all passengers incoming, Form 1440; for aliens incoming, Forms 500, 500-A, and 500-B; for aliens outgoing, Forms 628, 628-A, and 628-B; and for aliens from insular possessions, Form 629.

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General inward passenger movement:

Duties of collectors concerning;

RULE II. (*a*) Collectors of customs shall prepare from the passenger lists (Form 1440) which are in their custody a monthly statement showing, by sex, the total number of United States citizens and total number of passengers arriving each month, and deliver such statement to the immigration officer in charge at the port of entry.

(*b*) The collectors should exercise such supervision over the preparation of passenger lists as lies within their power, and should provide facilities for the examination of said lists by immigration officers with a view to prevent or to correct errors therein.

Duties of immigration officers concerning.

RULE III. (*a*) Immigration officers are directed to prepare from statements furnished by collectors and from data taken from inward alien manifests (Forms 500, 500–A, and 500–B) monthly reports on Form 619, showing (1) total number of immigrant aliens admitted, by sex; (2) total number of nonimmigrant aliens admitted, by sex; (3) total number of United States citizens arrived, by sex; (4) total number aliens debarred, by sex.

(*b*) In preparing this information from two sources, one of which is not checked by any Government officer, immigration officials should be watchful for inconsistencies, especially with regard to the data taken from passenger lists, and, when necessary, should examine those lists with a view to avoid or to correct errors.

Alien inward passenger movement:

Data to be compiled from manifests covering—

RULE IV. From the manifests of inward-bound alien passengers (Forms 500, 500–A, and 500–B) shall be compiled the following data: Whether immigrant or nonimmigrant alien; age; sex; calling or occupation; whether able to read and whether able to write; race or people; country of last permanent residence; destination; amount of money; whether ever before in the United States; by whom passage was paid; whether going to join relative or friend, and if so, whom; whether admitted or debarred; if debarred, cause therefor.

Manner of reporting;

RULE V. The above information regarding immigrant aliens admitted shall be transferred to monthly statistical reports (Forms 601 to 606, inclusive, and 619). Regarding nonimmigrant aliens, information only as to country of last permanent residence, country of final destination, and sex is required, which data shall be transferred to Forms 619 and 620.

Revision of manifests covering—

Officers to inform themselves of duties respecting;

RULE VI. Inspectors and other employees should familiarize themselves with the character of data required for statistical purposes, as herein set forth, in order that the different items of information may be properly checked and revised on the inward alien manifests (Forms 500, 500–A, and 500–B) during the personal examination of aliens, whether they arrive in the first or second cabin or steerage. After the revision the entries upon manifests should be sufficiently complete to enable statisticians to compile intelligently and accurately therefrom the statistical data required.

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Alien inward passenger movement:

RULE VII. Arriving aliens (including residents and citizens of foreign contiguous territory), whose last permanent residence was in a country other than the United States, who are coming to the United States for residence therein, shall be considered as immigrant aliens. Immigrant aliens admitted will be reported in statistics on Forms 601–606 and 619.

Meaning of terms employed in manifests and statistics of and instructions regarding—

"Immigrant aliens;"

"Nonimmigrant aliens;"

RULE VIII. Arriving aliens whose last permanent residence was in the United States, and other arriving aliens whose final destination is not within the United States, shall be considered as nonimmigrant aliens. This includes tourists and aliens in transit. Inspection officers engaged in revising manifests are directed to see that all nonimmigrant aliens are distinctly indicated as such on the manifests and that the *country of final destination* is shown. Nonimmigrant aliens *admitted* will not be reported on statistical Forms 601 to 606, but instead on Form 620; also on Form 619.

One-year residents of foreign contiguous territory;

RULE IX. Aliens who have resided in foreign contiguous territory for one year or more and who are coming to the United States only for temporary sojourn therein should not be reported as nonimmigrant aliens and should not be recorded in any immigration report. Aliens who have resided in foreign contiguous territory less than one year, who come for temporary sojourn, should be recorded as nonimmigrant aliens.

"Calling or occupation;"

RULE X. (*a*) Occupations should be described as definitely as possible in manifests, as, for example, civil engineer, mining engineer, locomotive engineer, stationary engineer, brass polisher, steel polisher, iron molder, wood turner, etc., and not simply as engineer, polisher, molder, turner, or other indefinite designation.

Divisions of;

(*b*) The various occupations are classified in statistical reports under three general heads, namely, "Professional," "Skilled," and "Miscellaneous." Dependent women and children and other aliens without occupation should be classified as "No occupation." Occupations not listed in said reports should be recorded by statisticians as "Other professional," "Other skilled," or "Other miscellaneous." In determining to which of these three classes aliens belong, the following instructions should govern:

Professional occupations;

(*c*) *Professional.*—Occupations which properly involve a liberal education, or its equivalent, and mental rather than manual labor, should be classed as "Professional."

Skilled occupations;

(*d*) *Skilled.*—Occupations which properly involve special training and manual dexterity, as the learning of a trade, should be classed as "Skilled."

Miscellaneous occupations;

(*e*) *Miscellaneous.*—Occupations other than professional and skilled should be classed as "Miscellaneous."

(*f*) A distinction should be made between farmers and farm laborers. A farmer is one who operates a farm, either for himself or others. A farm laborer is one who works on a farm for the man who operates it. Steamship

Farmers and farm laborers,

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companies should make this distinction on manifests, and corrections should be made, if necessary, by inspection officers during the examination of aliens. Alien inward passenger movement:

RULE XI. (*a*) "Race or people" is to be determined by the stock from which aliens sprang and the language they speak. Special attention should be paid to showing this information independently either of country as representing nationality or country as representing last permanent residence, and with respect to these points manifests should be carefully revised by inspection officers. For the convenience of steamship companies and inspection officers, a list of races is shown on the back of manifests. Certain distinctions with regard to race or people are pointed out, as follows: *Meaning of terms employed, etc.*—"Race or people;" Distinctions regarding;

(*b*) *Cuban.*—The term "Cuban" refers to the Cuban people (not Negroes). "Cuban;"

(*c*) *West Indian.*—"West Indian" refers to the people of the West Indies other than Cuba (not Negroes). "West Indian;"

(*d*) *Spanish-American.*—"Spanish-American" refers to the people of Central and South America of Spanish descent. "Spanish-American;"

(*e*) *African (black).*—"African (black)" refers to the African Negro, whether coming from Cuba or other islands of the West Indies, North or South America, Europe, or Africa. All aliens whose appearance indicates an admixture of negro blood should be classified under this heading. "African (black);"

(*f*) *Italian (North).*—The people who are native to the basin of the River Po in northern Italy (i. e., Compartments of Piedmont, Lombardy, Venetia, and Emilia), and their descendants, whether residing in Italy, Switzerland, Austria-Hungary, or any other country, should be classed as "Italian (North)." Most of these people speak a Gallic dialect of the Italian language. "Italian (North),"

(*g*) *Italian (South).*—The people who are native to that portion of Italy south of the basin of the River Po (i. e., Compartments of Liguria, Tuscany, the Marches, Umbria, Rome, the Abruzzi and Molise, Campania, Apulia, Basilicata, Calabria, Sicily, and Sardinia), and their descendants, should be classed as "Italian (South)." "Italian (South);"

RULE XII. The country of last permanent residence should be entered in column 10 of the manifest and should be independent of the country of which the alien is a citizen or subject. Aliens who are permanent residents of the United States and are returning from a visit abroad should be recorded on manifests as "United States" under the head of last permanent residence. Such aliens should be classed with nonimmigrant aliens. "Country of last permanent residence;"

RULE XIII. (*a*) Money brought by the head of a family should not be divided among the several members thereof. "Amount of money brought;"

(*b*) On Form 602 under the head of "Aliens bringing less than $50" should be recorded only aliens with money, but less than $50.

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Alien inward passenger movement:

Meaning of terms employed, etc.—

"Admitted and debarred;"

RULE XIV. (*a*) Aliens should be reported as admitted or debarred in the month in which final action is taken, regardless of the date of arrival of the ship bringing them. Aliens debarred should not be reported as debarred until placed on shipboard for deportation, and then should be recorded in the monthly statistics only on Forms 602–A and 619. The number of immigrant and nonimmigrant aliens actually admitted and the number of aliens debarred, as reported in the monthly statistical reports, should correspond with the numbers entered on lines 1, 2, and 3 of the monthly agreement statement (Form 519). The total of quarter-monthly reports of aliens debarred should correspond with the number so recorded on Forms 602–A, 619, and 519.

Debarred residents of foreign contiguous territory;

(*b*) All aliens applying for admission from foreign contiguous territory who have resided therein less than one year, and those who have resided therein for one year or more who apply for admission with the intention of permanent residence in the United States, if debarred, shall be reported on Forms 602–A, 619, and 519. Aliens from foreign contiguous territory who have resided therein more than one year and who apply for admission only for temporary sojourn in the United States if debarred should be reported only on Form 580.

Monthly statistical reports on, and method of preparation—

RULE XV. (*a*) The work of compiling statistical information at each port should be kept closely up to date, and the statistical reports on Forms 601–606, 619, and 620 should be forwarded to the Bureau at the earliest possible moment after the close of each month, accompanied by the statement of agreement on Form 519, and reports of appeals. To assist in accomplishing this end the following instructions should be observed by the larger ports:

Instructions re, for larger ports;

Use of tally and transfer sheets of;

(*b*) Blank tally and transfer sheets, to which statistical information is transferred from the original manifests, are furnished for use at the larger ports. The various items of statistical information for a convenient number of aliens should be transferred to the tally sheets (Forms 611 and 612), which should be added and balanced to prove their accuracy and then entered on transfer sheets (Forms 613–618). The transfer sheets should carry the record for an entire month, and when added and balanced at the close thereof the data should be recorded in the monthly statistical reports.

Disposition and method of recording on manifests;

(*c*) Manifests should form a permanent record of the disposition of all arriving aliens. On primary inspection all aliens admitted and all aliens detained should be so designated on manifests. Day by day, as final disposition is made of those detained on primary inspection, record thereof should be made opposite the names on the manifests, and also on the cards mentioned in the following paragraph in cases where statistical data regarding the aliens have been entered on such cards. Debarred aliens should be considered as detained (pending) until actually placed on shipboard for deportation.

Debarred aliens to be regarded as "pending" until deported;

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(*d*) Thus, at the time the statistical information is tallied from the manifests such manifests will show which aliens, up to date the tally is made, have been actually admitted, which finally debarred, and which are still detained (pending). The statistical data with regard to those shown on manifests as actually admitted, and debarred, at the time the tally is made should be regularly transferred to tally sheets; for aliens still detained (pending), however, the data should not then be transferred to tally sheets but to cards (Form 600) entitled "Statistical data for detained alien."

Alien inward passenger movement:
Monthly statistical reports, etc.—
Use of "Statistical data for detained alien" cards, in preparing;

(*e*) When the admissibility of the aliens recorded on these cards is finally determined, the disposition and date of disposition should be entered on the card (and also on the manifest), and the statistical data regarding such aliens should then be transferred direct from the cards to the tally sheets, avoiding the necessity of going through the manifests a second time for statistical data regarding aliens whose admissibility was undetermined when the first tally was made.

Disposition entered thereon;
Data to be transferred from cards to tally sheets;

(*f*) The tallying for the month should be completed on the day following the close thereof. Statistical information with regard to aliens still detained at the close of the month (and therefore not included in the month's statistics) should by this plan be entered on cards, which will offer a convenient means of separating aliens pending at close of month.

Closing of month's business;

RULE XVI. (*a*) Daily reports of alien arrivals, quarter-monthly reports of aliens debarred and returned, and weekly reports of aliens detained should be regularly forwarded to the Bureau of Immigration and Naturalization after the close of the periods to which they relate. Aliens who refuse to pay head tax are not considered to be applicants for admission and are not recorded in said reports. Aliens who have resided continuously in Canada, Newfoundland, or Mexico for one year or more next preceding application for admission to the United States (unless coming for permanent residence in the United States), and arrivals in continental United States from insular possessions, are not accounted for in immigration statistics. They should not, therefore, be included in these reports. All other arriving aliens, including those who have resided in Canada, Newfoundland, or Mexico for one year or more who are coming for permanent residence, all aliens who have resided in Canada, Newfoundland, or Mexico less than one year, citizens of Cuba, alien Chinese, stowaways, and deserting alien seamen whether or not apprehended, should be included in these reports.

Reports concerning, and method of preparation—
Daily of arriving, quarter-monthly of debarred and returned, and weekly of detained aliens;
What aliens not included in;
Included in;

(*b*) In daily reports, entries on each line under the head of "Total alien arrivals," should represent the total of entries under the heads of first and second cabins, steerage, and deserting alien seamen. Include stowaways with steerage. Each column should also be totaled at

Particulars regarding daily reports;

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Alien inward passenger movement:

the bottom. The total number reported in the daily reports during the month should be shown on line 15 of the monthly agreement statement.

Particulars regarding quarter-monthly reports;

(*c*) In preparing quarter-monthly reports of debarred aliens, while it is expected that all required information will be carefully recorded therein, especial care should be exercised to accurately record the foreign port of embarkation, steamship line, and cause of deportation. Under the latter heading names of diseases should be shown in cases of aliens deported because of disease. The total recorded on these reports each month should agree with the number reported in Forms 602–A and 619, and the number recorded on line 3 of the monthly agreement statement.

Statutory reasons for debarment to be given;

(*d*) As no alien can be debarred from the United States except for a statutory reason, no other reason for exclusion should be given in statistical reports. A list of causes of exclusion is given on Form 602–A.

Monthly reports of appeals;

RULE XVII. The monthly reports of appeals to the Department should show the number of persons whose admission or rejection depends upon the decision of the Department. Appeals under the immigration laws should be reported on Form 547; those under the laws governing the admission of Chinese on Form 428. Appeals for all classes of aliens, including all residents of Canada, Newfoundland, or Mexico, should be included in these reports.

Statement of agreement.

RULE XVIII. The statement on Form 519 should show an agreement between aliens accounted for in the monthly statistics, arrivals reported in daily reports, and the amount of head tax collected, and should be forwarded to the Bureau accompanied by the monthly statistical reports on Forms 601–606, 619, and 620, and reports of appeals. The entries on lines 1, 2, and 3 of the agreement statement should correspond, respectively, with the totals shown in the statistical reports of "Immigrant aliens admitted," "Nonimmigrant aliens admitted," and "Aliens debarred." The total number reported in the daily reports during the month should agree with the entry on line 15, and the total number on account of whom head tax is collected should correspond with the entry on line 27. Instructions accompanying the statement of agreement give detailed information with regard to its preparation.

Special instructions regarding exceptional cases— Residents of British North America and Mexico.

RULE XIX. Aliens who have resided in Canada, Newfoundland, or Mexico continuously for one year or more next preceding application for admission to the United States are exempt from head tax. If such aliens come to the United States for permanent residence, they should be manifested and included in statistics as immigrant aliens and should be included in other immigration reports. If they come only for temporary sojourn, they should not be manifested and should not be recorded as

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nonimmigrant aliens, and should not be included in statistics nor in other immigration reports, unless debarred, in which case they should be reported only on Form 580, report of aliens refused admission from foreign contiguous territory. Aliens who have resided in Canada, Newfoundland, or Mexico less than one year and all residents and citizens of Canada, Newfoundland, or Mexico coming from countries other than Canada, Newfoundland, or Mexico, are subjects for head tax, are manifested, and are included in statistics the same as other aliens who come from countries other than Canada, Newfoundland, Mexico, or Cuba.

Alien inward passenger movement:
Exceptional cases—

RULE XX. Aliens who have resided in Cuba for one year or more next preceding departure for the United States are exempt from head tax, but all aliens from Cuba should be regularly manifested, examined as to their admissibility, and included in statistics and other immigration reports.

Residents of Cuba;

RULE XXI. Citizens of Porto Rico, the Philippine Islands, Guam, and the Hawaiian Islands are exempt from the provisions of the immigration laws, and should not be examined thereunder or reported in immigration statistics or other immigration reports. Alien Chinese from island possessions, however, are subject to the laws governing the admission of Chinese. (See sec. 1, act of April 29, 1902, 32 Stat., part 1, p. 176.) All aliens from such possessions should be manifested on Form 629, and are subjects for head tax, unless previously paid.

Citizens of and aliens from insular possessions;

RULE XXII. Aliens arriving in this country en route to any of the island possessions of the United States are to be examined under the immigration laws as to their right of entry, are subjects for head tax if belonging to the taxable class, and are to be included in immigration statistics and other immigration reports in the same manner as if their destination were within continental United States.

Arriving aliens en route to insular possessions;

RULE XXIII. Whether or not apprehended, head tax should be collected on all deserting alien seamen, and they should be reported in the daily reports of arrivals (Form 590) in the absence of proof of an intention to reship in the regular course of their pursuit. They should not, however, be reported in the immigration statistics (Forms 601–606) unless apprehended, and then only in the absence of an intention to reship. The total number of deserting alien seamen included in each month's daily reports should correspond with the entry on line 6 of the monthly agreement statement. The number apprehended and included in the month's statistics should correspond with the entry on line 12 of the said monthly agreement statement. (See also Rule 22.)

Deserting alien seamen;

RULE XXIV. Under the Immigration Act and Rule 23 stowaways are regarded as aliens applying for admission to the United States, and they should be included in

Stowaways;

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Alien inward passenger movement:

immigration statistics. The number of such cases each month should also be reported on line 30 of the agreement statement (Form 519).

Exceptional cases—

Aliens who refuse to pay head tax;

RULE XXV. Aliens applying for admission who refuse to pay head tax should not be considered as applicants for admission, and should not be reported in any immigration report. The number of such cases should, however, be reported on line 31 of agreement statement (Form 519).

Aliens who die or escape;

RULE XXVI. Aliens who die or escape before admission or deportation should not be included in the statistical reports (Forms 601–606, 619, and 620), but should be accounted for on line 9 of the agreement statement. If aliens who have escaped are afterwards apprehended, they should be regularly entered in the monthly statistical reports, and again acounted for on line 13 of the agreement statement.

Chinese subject to immigration laws and regulations:

RULE XXVII. Chinese should be listed in the regular inward alien manifests (Forms 500, 500–A, and 500–B) and examined under the immigration laws, in addition to being listed in Chinese manifests (Form 418), examined, and reported in the quarter-monthly reports, under the Chinese regulations. All alien Chinese are subjects for head tax, and should be reported in regular immigration statistics and other immigration reports. Chinese admitted as aliens under the laws governing the admission of Chinese shall be classed under the immigration laws as aliens, and those admitted as United States citizens shall be so considered under the immigration laws.

General outward passenger movement.

RULE XXVIII. At the close of each quarter year the collector of customs at each port will forward to the Bureau of Immigration and Naturalization a statement on Form 1171 of all passengers departed for foreign countries from his port.

Alien outward passenger movement:

Delivery of manifests covering;

RULE XXIX. Manifests of outward-bound aliens (on Forms 628, 628–A, and 628–B) shall be delivered to collectors of customs within sixty days after the departure of a vessel from a United States port. The collector of customs shall deliver the said manifests to the officer in charge of immigration matters at his port; and the said immigration officer shall cause to be prepared from said manifests monthly statistical reports of departing aliens, using Forms 621 to 627, inclusive.

Classifying emigrant and nonemigrant aliens;

RULE XXX. Departing aliens shall be divided into the two classes emigrant and nonemigrant aliens. Alien residents of the United States leaving the country permanently shall be considered as "emigrant aliens." Alien residents leaving the United States with the intention of remaining abroad but temporarily, and alien nonresidents leaving after a temporary sojourn in the United States shall be considered as "nonemigrant aliens."

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Alien outward passenger movement:

Items to be recorded in statistics concerning.

RULE XXXI. Emigrant aliens departing shall be recorded in monthly statistical reports on Forms 621 to 626, inclusive, to show sex, age, length of residence in the United States, country of intended future residence, race or people, place of residence in the United States, and occupation. Nonimmigrant aliens departing shall be recorded in Form 627 to show only sex and countries of last permanent residence and intended future residence.

Record books and card indexes required by naturalization law:

RULE XXXII. (*a*) Section 1 of the act of Congress approved June 29, 1906, entitled "An act to establish a Bureau of Immigration and Naturalization, and to provide for a uniform rule for the naturalization of aliens throughout the United States" (Stat., 1905–6, pt. 1, p. 596), provides that there shall be maintained at the various immigration stations "books of record" containing certain specified information as to every alien admitted.

What shall constitute;

(*b*) It is hereby ordered that the manifests of aliens (Forms 500, 500–A, and 500–B) shall constitute the "book of record" required by the statute referred to, and, to this end, that all completed manifests shall be arranged chronologically, bound permanently in books of 150 manifests, and carefully preserved for reference. Due precautions must be taken to guard against the possible loss or destruction of manifests, whether bound or not.

Officers to supply deficiencies in;

(*c*) Inspection officers are directed to give particular attention to procuring the supplemental information called for in columns 25 to 29 of the manifest, supplying any deficiencies which may be found to exist and carefully verifying the information set forth under the respective headings.

What aliens from Canada and Mexico to be manifested;

(*d*) All aliens from Canada and Mexico applying for admission to the United States, except those who have resided in Canada or Mexico for one year or more who are coming for temporary sojourn in the United States, shall be regularly manifested both for statistical and naturalization purposes.

Preparation of card indexes.

(*e*) To facilitate reference to the permanent record herein constituted, the names of all aliens shall be card indexed (Form 502 being used for that purpose), a card to be made out for each and every alien admitted to the United States, except those who have resided in Canada or Mexico for one year or more who are coming for temporary sojourn in the United States. The index cards shall be carefully and accurately prepared and placed in card-index cabinets provided for that purpose, alphabetical guide cards being used, to whatever extent may be necessary, to insure proper subdivision of the record cards. Commissioners of immigration and inspectors in charge shall apply to the Bureau for any special instructions or information desired in regard to indexing,

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card cabinets, preparation and binding of manifests, etc. Whenever practicable, index cards shall be typewritten to insure legibility, black record typewriter ribbons to be used. In the event of possible confusion of the surname and given name, one card to be made for each combination, thus insuring an accurate cross-reference index.

F. P. SARGENT,
Commissioner-General.

Approved June 22, 1907.

OSCAR S. STRAUS,
Secretary.

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DEPARTMENT OF COMMERCE AND LABOR

BUREAU OF IMMIGRATION AND NATURALIZATION

Immigration Laws

and

Regulations of July 1, 1907



Fifth Edition, approved October 5, 1908

Embodying Amendments to Rules 6, 20, 22, 23, 26, 29, 32, 35, and 41
Also Changes in Statistical Rules 1, 4, 5, 7, 8, 11, 12
16, 17, 18, 21, 23, 24, 26, 30, 31, and 32



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1908

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IMMIGRATION LAWS AND REGULATIONS.

IMMIGRATION ACT OF FEBRUARY 20, 1907.

NOTE.—The Immigration Act of February 20, 1907, repeals the act of March 3, 1903, and all prior acts or parts of acts inconsistent with the new law. In the back of this pamphlet are published such portions of the prior acts as are not repealed by or reenacted in the act of February 20, 1907; also the act of March 2, 1907, regarding expatriation. If necessary to refer to the old acts, they may be found in the pamphlets "Immigration Laws and Regulations" heretofore issued, or in the United States Statutes at Large, as follows: Note as to acts published herein.

List of immigration acts.

Act approved March 3, 1875: 18 Stat., part 3, page 477.
Act approved August 3, 1882: 22 Stat., page 214.
Act approved June 26, 1884 (sec. 22 only): 23 Stat., page 58.
Act approved February 26, 1885: 23 Stat., page 332.
Act approved February 23, 1887: 24 Stat., page 414.
Act approved October 19, 1888: 25 Stat., page 565.
Act approved March 3, 1891: 26 Stat., page 1084.
Act approved February 15, 1893 (sec 7): 27 Stat., page 449.
Act approved March 3, 1893: 27 Stat., page 569.
Act approved August 18, 1894: 28 Stat., page 390.
Act approved March 2, 1895: 28 Stat., page 780.
Act approved June 6, 1900: 31 Stat., page 611.
Act approved April 29, 1902: 32 Stat., part 1, page 176.
Act approved March 3, 1903: 32 Stat., part 1, page 1213.
Act approved March 22, 1904: 33 Stat., part 1, page 144.
Act approved April 28, 1904: 33 Stat., part 1, page 591.
Act approved February 3, 1905: 33 Stat., part 1, page 684.

ACT OF FEBRUARY 20, 1907.

AN ACT to regulate the immigration of aliens into the United States.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there shall be levied, collected, and paid a tax of four dollars for every alien entering the United

Head tax:

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Head tax: To whom paid; By whom paid.

States.[a] The said tax shall be paid to the collector of customs of the port or customs district to which said alien shall come, or, if there be no collector at such port or district, then to the collector nearest thereto, by the master, agent, owner, or consignee of the vessel, transportation line, or other conveyance or vehicle bringing such alien to the United States. The money thus collected, together with all fines and rentals[b] collected under the laws regulating the immigration of aliens into the United States, shall be paid into the Treasury of the United States, and shall constitute a permanent appropriation to be called the "immigrant fund," to be used under the direction of the Secretary of Commerce and Labor to defray the expense of regulating the immigration of aliens into the United States under said laws, including the contract labor laws, the cost of reports of decisions of the Federal courts, and digest thereof, for the use of the Commissioner-General of Immigration, and the salaries and expenses of all officers, clerks, and employees appointed to enforce said laws. The tax imposed by this section shall be a lien upon the vessel, or other vehicle of carriage or transportation bringing such aliens to the United States, and shall be a debt in favor of the United States against the owner or owners of such vessel, or other vehicle, and the payment of such tax may be enforced by any legal or equitable remedy. That the said tax shall not be levied upon aliens who shall enter the United States after an uninterrupted residence of at least one year, immediately preceding such entrance, in the Dominion of Canada, Newfoundland, the Republic of Cuba, or the Republic of Mexico, nor upon otherwise admissible residents of any possession of the United States, nor upon aliens in transit through the United States, nor upon aliens who have been lawfully admitted to the United States and who later shall go in transit from one part of the United States to another through foreign contiguous territory:[c] *Provided*, That the Commissioner-General of Immigration, under the direction or with the approval of the Secretary of Commerce and Labor, by agreement with transportation lines, as provided in section thirty-two of this Act, may arrange in some other manner for the payment of the tax imposed by this section upon any or all aliens seeking admission from foreign contiguous territory:[d] *Provided further*, That if in any fiscal year the amount of money collected under the provisions of this section shall exceed two million five hundred thousand dollars, the excess above

Head tax: To be lien upon vessel; How payment enforced; Classes exempted from payment of; Payment on account aliens from contiguous territory; No more than $2,500,000 to go into immigrant fund;

Head taxes, and rentals, to constitute— Immigrant fund: For what used.

[a] For specific exceptions, see Rule 2.

[b] For method of depositing fines and rentals, see Rule 3; for procedure in collecting fines and reporting suits for collection, see Rules 28, 29, and 30.

[c] See paragraph (*g*), Rule 2.

[d] See Rules 2, 25, and 27.

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that amount shall not be added to the "immigrant fund:" *Provided further*, That the provisions of this section shall not apply to aliens arriving in Guam, Porto Rico, or Hawaii; but if any such alien, not having become a citizen of the United States, shall later arrive at any port or place of the United States on the North American Continent the provisions of this section shall apply:[a] *Provided further*, That whenever the President shall be satisfied that passports issued by any foreign government to its citizens to go to any country other than the United States or to any insular possession of the United States or to the Canal Zone are being used for the purpose of enabling the holders to come to the continental territory of the United States to the detriment of labor conditions therein, the President may refuse to permit such citizens of the country issuing such passports to enter the continental territory of the United States from such other country or from such insular possessions or from the Canal Zone.[b]

Head tax:

Exceptions—Guam, Porto Rico, and Hawaii.

Passports:

If limited and used to detriment labor conditions, holders to be rejected.

SEC. 2. That the following classes of aliens shall be excluded from admission into the United States: All idiots, imbeciles, feeble-minded persons, epileptics, insane persons, and persons who have been insane within five years previous; persons who have had two or more attacks of insanity at any time previously; paupers; persons likely to become a public charge;[c] professional beggars; persons afflicted with tuberculosis or with a loathsome or dangerous contagious disease;[d] persons not comprehended within any of the foregoing excluded classes who are found to be and are certified by the examining surgeon as being mentally or physically defective, such mental or physical defect being of a nature which may affect the ability of such alien to earn a living;[c] persons who have been convicted of or admit having committed a felony or other crime or misdemeanor involving moral turpitude; polygamists, or persons who admit their belief in the practice of polygamy. anarchists, or persons who believe in or advocate the overthrow by force or violence of the Government of the United States, or of all government, or of all forms of law, or the assassination of public officials; prostitutes, or women or girls coming into the United States for the purpose of prostitution or for any other immoral purpose; persons who procure or attempt to bring in pros-

Excluded classes:

Idiots, insane, etc.;

Paupers, persons likely to become a public charge;

Diseased;

Mentally or physically defective;

Criminals;

Polygamists;

Anarchists;

Prostitutes, etc.;

[a] See Rule 2.

[b] For President's proclamation and regulations drawn thereunder, see Rule 21.

[c] For provisions for landing under bond persons likely to become public charges and persons certified for physical defects, see Rule 20.

[d] For provision for placing in hospital, "with the express permission of the Secretary," persons afflicted with tuberculosis or with a loathsome or dangerous contagious disease, see Rule 10.

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Excluded classes:

titutes or women or girls for the purpose of prostitution or for any other immoral purpose; persons hereinafter

Contract laborers;

called contract laborers, who have been induced or solicited to migrate to this country by offers or promises of employment or in consequence of agreements, oral, written or printed, express or implied, to perform labor in this country of any kind, skilled or unskilled; those who have been, within one year from the date of application for admission to the United States, deported as having been induced or solicited to migrate as above described;

Assisted aliens;

any person whose ticket or passage is paid for with the money of another, or who is assisted by others to come, unless it is affirmatively and satisfactorily shown that such person does not belong to one of the foregoing excluded classes, and that said ticket or passage was not paid for by any corporation, association, society, municipality, or foreign government, either directly or indi-

Children under 16;

rectly; all children under sixteen years of age, unaccompanied by one or both of their parents, at the discretion of the Secretary of Commerce and Labor or under such regulations as he may from time to time prescribe:[a] *Pro-*

Exceptions—

vided, That nothing in this Act shall exclude, if other-

Offenses political;

wise admissible, persons convicted of an offense purely political, not involving moral turpitude: *Provided fur-*

Transits;

ther, That the provisions of this section relating to the payments for tickets or passage by any corporation, association, society, municipality, or foreign government shall not apply to the tickets or passage of aliens in immediate and continuous transit through the United States to for-

Skilled labor;

eign contiguous territory: *And provided further*, That skilled labor may be imported if labor of like kind unemployed can not be found in this country: *And provided*

Actors, artists, etc.

further, That the provisions of this law applicable to contract labor shall not be held to exclude professional actors, artists, lecturers, singers, ministers of any religious denomination, professors for colleges or seminaries, persons belonging to any recognized learned profession, or persons employed strictly as personal or domestic servants.

Prostitutes:

SEC. 3. That the importation into the United States of

Importation or holding penalized;

any alien woman or girl for the purpose of prostitution, or for any other immoral purpose, is hereby forbidden; and whoever shall, directly or indirectly, import, or attempt to import, into the United States, any alien woman or girl for the purpose of prostitution, or for any other immoral purpose, or whoever shall hold or attempt to hold any alien woman or girl for any such purpose in pursuance of such illegal importation, or whoever shall keep, maintain, control, support, or harbor in any house or other place, for the purpose of prostitution, or for any other immoral purpose, any alien woman or girl, within three years after she shall have entered the United States,

[a] For regulations, see Rule 5.

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Prostitutes:

shall, in every such case, be deemed guilty of a felony, and on conviction thereof be imprisoned not more than five years and pay a fine of not more than five thousand dollars; and any alien woman or girl who shall be found an inmate of a house of prostitution or practicing prostitution, at any time within three years after she shall have entered the United States, shall be deemed to be unlawfully within the United States and shall be deported as provided by sections twenty and twenty-one of this Act.[a]

Deportation of, within three years.

Contract laborers:

SEC. 4. That it shall be a misdemeanor for any person, company, partnership, or corporation, in any manner whatsoever, to prepay the transportation or in any way to assist or encourage the importation or migration of any contract laborer or contract laborers into the United States, unless such contract laborer or contract laborers are exempted under the terms of the last two provisos contained in section two of this Act.

Importation of, forbidden;

Penalty for importing;

SEC. 5. That for every violation of any of the provisions of section four of this Act the person, partnership, company, or corporation violating the same, by knowingly assisting, encouraging, or soliciting the migration or importation of any contract laborer into the United States shall forfeit and pay for every such offense the sum of one thousand dollars, which may be sued for and recovered by the United States, or by any person who shall first bring his action therefor in his own name and for his own benefit, including any such alien thus promised labor or service of any kind as aforesaid, as debts of like amount are now recovered in the courts of the United States; and separate suits may be brought for each alien thus promised labor or service of any kind as aforesaid.[b] And it shall be the duty of the district attorney of the proper district to prosecute every such suit when brought by the United States.

U. S. attorneys to prosecute suits;

Advertising for, forbidden;

SEC. 6. That it shall be unlawful and be deemed a violation of section four of this Act to assist or encourage the importation or migration of any alien by promise of employment through advertisements printed and published in any foreign country; and any alien coming to this country in consequence of such an advertisement shall be treated as coming under promise or agreement as contemplated in section two of this Act, and the penalties imposed by section five of this Act shall be applicable to such a case: *Provided*, That this section shall not apply to States or Territories, the District of Columbia, or places subject to the jurisdiction of the United States advertising the inducements they offer for immigration thereto, respectively.

Exception, in favor States and Territories.

Soliciting:

Forbidden on part transportation companies;

SEC. 7. That no transportation company or owner or owners of vessels, or others engaged in transporting aliens into the United States, shall, directly or indirectly, either by writing, printing, or oral representation, solicit, invite,

[a] See paragraph (c), Rule 31, and Rules 34–38.
[b] For method of reporting, see Rule 30.

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Soliciting: or encourage the immigration of any aliens into the United States, but this shall not be held to prevent transportation companies from issuing letters, circulars, or advertisements, stating the sailings of their vessels and terms and facilities of transportation therein; and for a violation of this provision, any such transportation company, and any such owner or owners of vessels, and all others engaged in transporting aliens into the United Penalty for. States, and the agents by them employed, shall be severally subjected to the penalties imposed by section five of this Act.

Unlawful landing: SEC. 8. That any person, including the master, agent, owner, or consignee of any vessel, who shall bring into Penalty for. or land in the United States, by vessel or otherwise, or who shall attempt, by himself or through another, to bring into or land in the United States, by vessel or otherwise, any alien not duly admitted by an immigrant inspector or not lawfully entitled to enter the United States shall be deemed guilty of a misdemeanor, and shall, on conviction, be punished by a fine not exceeding one thousand dollars, or by imprisonment for a term not exceeding two years, or by both such fine and imprisonment for each and every alien so landed or brought in or attempted to be landed or brought in.[a]

Fine $100: SEC. 9. That it shall be unlawful for any person, in-
For bringing diseased aliens; cluding any transportation company other than railway lines entering the United States from foreign contiguous territory, or the owner, master, agent, or consignee of any vessel to bring to the United States any alien subject to any of the following disabilities: Idiots, imbeciles, epileptics, or persons afflicted with tuberculosis or with a loathsome or dangerous contagious disease, and if it shall appear to the satisfaction of the Secretary of Commerce and Labor that any alien so brought to the United States was afflicted with any of the said diseases or disabilities at the time of foreign embarkation and that the existence of such disease or disability might have been detected by means of a competent medical examination at such time,
Method of collecting. such person or transportation company, or the master, agent, owner, or consignee of any such vessel shall pay to the collector of customs of the customs district in which the port of arrival is located the sum of one hundred dollars for each and every violation of the provisions of this section; and no vessel shall be granted clearance papers pending the determination of the question of the liability to the payment of such fine, and in the event such fine is imposed, while it remains unpaid, nor shall such fine be remitted or refunded: *Provided*, That clearance may be granted prior to the determination of such questions upon the deposit of a sum sufficient to cover such fine and costs, such sum to be named by the Secretary of Commerce and Labor.[b]

[a] For method of reporting, see Rule 30.
[b] For method of imposing, see Rule 28.

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Appeals:
Not allowed aliens afflicted with tuberculosis or dangerous contagious diseases.

SEC. 10. That the decision of the board of special inquiry, hereinafter provided for, based upon the certificate of the examining medical officer, shall be final as to the rejection of aliens affected with tuberculosis or with a loathsome or dangerous contagious disease, or with any mental or physical disability which would bring such aliens within any of the classes excluded from admission to the United States under section two of this Act.[a]

Guardian on voyage:
Transportation companies to bear expense of.

SEC. 11. That upon the certificate of a medical officer of the United States Public Health and Marine Hospital Service to the effect that a rejected alien is helpless from sickness, mental or physical disability, or infancy, if such alien is accompanied by another alien whose protection or guardianship is required by such rejected alien, such accompanying alien may also be excluded, and the master, agent, owner, or consignee of the vessel in which such alien and accompanying alien are brought shall be required to return said alien and accompanying alien in the same manner as vessels are required to return other rejected aliens.[b]

Manifests:
Incoming passengers—

SEC. 12. That upon the arrival of any alien by water at any port within the United States,[c] it shall be the duty of the master or commanding officer of the steamer, sailing or other vessel having said alien on board to deliver to the immigration officers at the port of arrival lists or manifests made at the time and place of embarkation of such alien on board such steamer or vessel, which shall, in answer to questions at the top of said list, state as to each alien the full name, age, and sex; whether married or single; the calling or occupation; whether able to read or write; the nationality; the race; the last residence; the name and address of the nearest relative in the country from which the alien came; the seaport for landing in the United States; the final destination, if any, beyond the port of landing; whether having a ticket through to such final destination; whether the alien has paid his own passage or whether it has been paid by any other person or by any corporation, society, municipality, or government, and if so, by whom; whether in possession of fifty dollars, and if less, how much; whether going to join a relative or friend, and if so, what relative or friend, and his or her name and complete address; whether ever before in the United States, and if so, when and where; whether ever in prison or almshouse or an institution or hospital for the care and treatment of the insane or supported by charity; whether a polygamist; whether an anarchist; whether coming by reason of any offer, solicitation, promise, or agreement, express or implied, to perform labor in the United States,

What to contain;

[a] See Rules 6 and 20; also latter part of section 25.
[b] See Rule 12.
[c] For the procurement of manifests from Canadian transportation companies, see paragraph (*e*), Rule 25.

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Manifests: and what is the alien's condition of health, mental and physical, and whether deformed or crippled, and if so,

Outgoing passengers— for how long and from what cause; that it shall further be the duty of the master or commanding officer of every vessel taking alien passengers out of the United States, from any port thereof, to file before departure therefrom with the collector of customs of such port a complete list of all such alien passengers taken on board.

What to contain; Such list shall contain the name, age, sex, nationality, residence in the United States, occupation, and the time of last arrival of every such alien in the United States, and no master of any such vessel shall be granted clearance papers for his vessel until he has deposited such list or lists with the collector of customs at the port of departure and made oath that they are full and complete as to the name and other information herein required concerning each alien taken on board his vessel;[a] and any neglect or omission to comply with the requirements of this section shall be punishable as provided in section fifteen of this Act.[b]

Penalty;

With whom deposited; That the collector of customs with whom any such list has been deposited in accordance with the provisions of this section, shall promptly notify the Commissioner-General of Immigration that such list has been deposited with him as provided, and shall make such further disposition thereof as may be required by regulations to be issued by the Commissioner-General of Immigration with the approval of the Secretary of Commerce and Labor:[c] *Provided*, That in the case of vessels making regular trips to ports of the United States the Commissioner-General of Immigration, with the approval of the Secretary of Commerce and Labor, may, when expedient, arrange for the delivery of such lists of outgoing aliens at a later date:[c] *Provided further*, That it shall be the duty of the master or commanding officer of any vessel sailing from ports in the Philippine Islands, Guam, Porto Rico, or Hawaii to any port of the United States on the North American Continent to deliver to the immigration officers at the port of arrival lists or manifests made at the time and place of embarkation, giving the names of all aliens on board said vessel.[d]

Of aliens from the Philippines, Guam, Porto Rico, and Hawaii;

How made up; SEC. 13. That all aliens arriving by water at the ports of the United States shall be listed in convenient groups, and no one list or manifest shall contain more than thirty names. To each alien or head of a family shall be given a ticket on which shall be written his name, a number or letter designating the list in which his name, and so forth, is contained, and his number on said list, for convenience

[a] For the procurement of manifests from Canadian transportation companies, see paragraph (*c*), Rule 25.

[b] For method of imposing fine, see Rule 29.

[c] See Rule XXIX, statistical regulations.

[d] See paragraphs (*b*) and (*c*), Rule I, statistical regulations.

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of identification on arrival. Each list or manifest shall be verified by the signature and the oath of affirmation of the master or commanding officer, or the first or second below him in command, taken before an immigration officer at the port of arrival, to the effect that he has caused the surgeon of said vessel sailing therewith to make a physical and oral examination of each of said aliens, and that from the report of said surgeon and from his own investigation he believes that no one of said aliens is an idiot, or imbecile, or a feeble-minded person, or insane person, or a pauper, or is likely to become a public charge, or is afflicted with tuberculosis or with a loathsome or dangerous contagious disease, or is a person who has been convicted of, or who admits having committed a felony or other crime or misdemeanor involving moral turpitude, or is a polygamist or one admitting belief in the practice of polygamy, or an anarchist, or under promise or agreement, express or implied, to perform labor in the United States, or a prostitute, or a woman or girl coming to the United States for the purpose of prostitution, or for any other immoral purpose, and that also, according to the best of his knowledge and belief, the information in said lists or manifests concerning each of said aliens named therein is correct and true in every respect.

Manifests: To be signed and sworn to by master, as to correctness of contents;

SEC. 14. That the surgeon of said vessel sailing therewith shall also sign each of said lists or manifests and make oath or affirmation in like manner before an immigration officer at the port of arrival, stating his professional experience and qualifications as a physician and surgeon, and that he has made a personal examination of each of the said aliens named therein, and that the said list or manifest, according to the best of his knowledge and belief, is full, correct, and true in all particulars relative to the mental and physical condition of said aliens. If no surgeon sails with any vessel bringing aliens the mental and physical examinations and the verifications of the lists or manifests shall be made by some competent surgeon employed by the owners of the said vessel.[a]

To be signed and sworn to by surgeon;

SEC. 15. That in the case of the failure of the master or commanding officer of any vessel to deliver to the said immigration officers lists or manifests of all aliens on board thereof, as required in sections twelve, thirteen, and fourteen of this Act, he shall pay to the collector of customs at the port of arrival the sum of ten dollars for each alien concerning whom the above information is not contained in any list as aforesaid: *Provided*, That in the case of failure without good cause to deliver the list of passengers required by section twelve of this Act from the master or commanding officer of every vessel taking alien passengers out of the United States, the penalty shall be paid to the collector of customs at the port of departure

Incoming passengers—

Penalty of $10;

Outgoing passengers—

Penalty of $10;

[a] See paragraph (*g*), Rule 29.

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Manifests: Aggregate fines not to exceed $100.

and shall be a fine of ten dollars for each alien not included in said list; but in no case shall the aggregate fine exceed one hundred dollars.[a]

Inspection: On board vessel; Landing for, not actual landing:

SEC. 16. That upon the receipt by the immigration officers at any port of arrival of the lists or manifests of incoming aliens provided for in sections twelve, thirteen, and fourteen of this Act, it shall be the duty of said officers to go or to send competent assistants to the vessel to which said lists or manifests refer, and there inspect all such aliens, or said immigration officers may order a temporary removal of such aliens for examination at a designated time and place, but such temporary removal shall not be considered a landing, nor shall it relieve the transportation lines, masters, agents, owners, or consignees of the vessel upon which said aliens are brought to any port of the United States from any of the obligations which, in case such aliens remain on board, would, under the provisions of this Act, bind the said transportation lines, masters, agents, owners, or consignees: *Provided*, That where a suitable building is used for the detention and examination of aliens the immigration officials shall there take charge of such aliens, and the transportation companies, masters, agents, owners, and consignees of the vessels bringing such aliens shall be relieved of the responsibility for their detention thereafter until the return of such aliens to their care.

If placed in station, immigration officers responsible.

Medical examination: To be made by P. H. and M.H. surgeons; P. H. and M. H. Service to be reimbursed for surgeons' salaries.

SEC. 17. That the physical and mental examination of all arriving aliens shall be made by medical officers of the United States Public Health and Marine-Hospital Service, who shall have had at least two years' experience in the practice of their profession since receiving the degree of doctor of medicine and who shall certify for the information of the immigration officers and the boards of special inquiry hereinafter provided for, any and all physical and mental defects or diseases observed by said medical officers in any such alien,[b] or, should medical officers of the United States Public Health and Marine-Hospital Service be not available, civil surgeons of not less than four years' professional experience may be employed in such emergency for such service, upon such terms as may be prescribed by the Commissioner-General of Immigration under the direction or with the approval of the Secretary of Commerce and Labor. The United States Public Health and Marine-Hospital Service shall be reimbursed by the immigration service for all expenditures incurred in carrying out the medical inspection of aliens under regulations of the Secretary of Commerce and Labor.

Unlawful landing:

SEC. 18. That it shall be the duty of the owners, officers, or agents of any vessel or transportation line, other than

[a] For procedure, see Rule 29.
[b] See Rule 9.

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those railway lines which may enter into a contract as provided in section thirty-two of this Act, bringing an alien to the United States to prevent the landing of such alien in the United States at any time or place other than as designated by the immigration officers, and the negligent failure of any such owner, officer, or agent to comply with the foregoing requirements shall be deemed a misdemeanor and be punished by a fine in each case of not less than one hundred nor more than one thousand dollars or by imprisonment for a term not exceeding one year, or by both such fine and imprisonment;[a] and every such alien so landed shall be deemed to be unlawfully in the United States and shall be deported as provided in sections twenty and twenty-one of this Act.[b]

Unlawful landing:
Exception under sec. 32;
Penalty for;
Deportation of aliens so landed.

SEC. 19. That all aliens brought to this country in violation of law shall, if practicable, be immediately sent back to the country whence they respectively came on the vessels bringing them. The cost of their maintenance while on land, as well as the expense of the return of such aliens, shall be borne by the owner or owners of the vessels on which they respectively came; and if any master, person in charge, agent, owner, or consignee of any such vessel shall refuse to receive back on board thereof, or on board of any other vessel owned or operated by the same interests, such aliens, or shall fail to detain them thereon, or shall refuse or fail to return them to the foreign port from which they came, or to pay the cost of their maintenance while on land, or shall make any charge for the return of any such alien, or shall take any security from him for the payment of such charge, such master, person in charge, agent, owner, or consignee shall be deemed guilty of a misdemeanor and shall, on conviction, be punished by a fine of not less than three hundred dollars for each and every such offense; and no vessel shall have clearance from any port of the United States while any such fine is unpaid:[a] *Provided*, That the Commissioner-General of Immigration, with the approval of the Secretary of Commerce and Labor, may suspend, upon conditions to be prescribed by the Commissioner-General of Immigration, the deportation of any alien found to have come in violation of any provision of this Act, if, in his judgment, the testimony of such alien is necessary on behalf of the United States Government in the prosecution of offenders against any provision of this Act: *Provided*, That the cost of maintenance of any person so detained resulting from such suspension of deportation shall be paid from the "immigrant fund"[c] but no alien certified, as provided in section seventeen of this Act, to be suffering from tuberculosis or from a loathsome or dangerous contagious disease other than one of quaran-

Deportation:
By vessel bringing;
Cost of, and of detention, to be borne by steamship companies;
Penalty for failure to hold, deport, or maintain;
Penalty for taking security.
Witnesses:
Authority to hold;
Cost paid from immigrant fund.
Hospital treatment — by express permission of Secretary;
Of those suffering with tuberculosis or loathsome or dangerous disease.

[a] For method of reporting, See Rule 30.
[b] See paragraph (*d*), Rule 31, and Rules 34–38.
[c] See Rule 14.

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tinable nature shall be permitted to land for medical treatment thereof in any hospital in the United States, unless with the express permission of the Secretary of Commerce and Labor:[a] *Provided*, That upon the certificate of a medical officer of the United States Public Health and Marine-Hospital Service to the effect that the health or safety of an insane alien would be unduly imperiled by immediate deportation, such alien may, at the expense of the "immigrant fund," be held for treatment until such time as such alien may, in the opinion of such medical officer, be safely deported.[a]

Insane aliens: Holding for treatment, expense immigrant fund.

Deportation: Unlawful residents and public charges;

SEC. 20. That any alien who shall enter the United States in violation of law, and such as become public charges from causes existing prior to landing, shall, upon the warrant of the Secretary of Commerce and Labor, be taken into custody and deported to the country whence he came at any time within three years after the date of his entry into the United States. Such deportation, including one-half of the entire cost of removal to the port of deportation, shall be at the expense of the contractor, procurer, or other person by whom the alien was unlawfully induced to enter the United States, or, if that can not be done, then the cost of removal to the port of deportation shall be at the expense of the "immigrant fund" provided for in section one of this Act, and the deportation from such port shall be at the expense of the owner or owners of such vessel or transportation line by which such aliens respectively came:[b] *Provided*, That pending the final disposal of the case of any alien so taken into custody he may be released under a bond in the penalty of not less than five hundred dollars with security approved by the Secretary of Commerce and Labor, conditioned that such alien shall be produced when required for a hearing or hearings in regard to the charge upon which he has been taken into custody, and for deportation if he shall be found to be unlawfully within the United States.[c]

How expense of, to be borne.

Bond: Releasing arrested aliens on.

Deportation: Of aliens subject thereto;

SEC. 21. That in case the Secretary of Commerce and Labor shall be satisfied that an alien has been found in the United States in violation of this Act, or that an alien is subject to deportation under the provisions of this Act or of any law of the United States, he shall cause such alien within the period of three years after landing or entry therein to be taken into custody and returned to the country whence he came, as provided by section twenty of this Act,[b] and a failure or refusal on the part of the masters, agents, owners, or consignees of vessels to comply with the order of the Secretary of Commerce and Labor to take on board, guard safely, and return to the country whence he came any alien ordered to be deported

Penalty against vessels for refusal to deport on warrant;

[a] See Rule 10.
[b] See Rules 31–37.
[c] See paragraph (*g*), Rule 35.

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under the provisions of this Act shall be punished by the imposition of the penalties prescribed in section nineteen of this Act:[a] *Provided*, That when in the opinion of the Secretary of Commerce and Labor the mental or physical condition of such alien is such as to require personal care and attendance, he may employ a suitable person for that purpose, who shall accompany such alien to his or her final destination, and the expense incident to such service shall be defrayed in like manner.[b]

Deportation:

Attendants for deported persons.

SEC. 22. That the Commissioner-General of Immigration, in addition to such other duties as may by law be assigned to him, shall, under the direction of the Secretary of Commerce and Labor, have charge of the administration of all laws relating to the immigration of aliens into the United States, and shall have the control, direction, and supervision of all officers, clerks, and employees appointed thereunder. He shall establish such rules and regulations, prescribe such forms of bond, reports, entries, and other papers, and shall issue from time to time such instructions, not inconsistent with law, as he shall deem best calculated for carrying out the provisions of this Act and for protecting the United States and aliens migrating thereto from fraud and loss, and shall have authority to enter into contract for the support and relief of such aliens as may fall into distress or need public aid; all under the direction or with the approval of the Secretary of Commerce and Labor. And it shall be the duty of the Commissioner-General of Immigration to detail officers of the immigration service from time to time as may be necessary, in his judgment, to secure information as to the number of aliens detained in the penal, reformatory, and charitable institutions (public and private) of the several States and Territories, the District of Columbia, and other territory of the United States and to inform the officers of such institutions of the provisions of law in relation to the deportation of aliens who have become public charges: *Provided*, That the Commissioner-General of Immigration may, with the approval of the Secretary of Commerce and Labor, whenever in his judgment such action may be necessary to accomplish the purposes of this Act, detail immigration officers, and also surgeons, in accordance with the provisions of section seventeen, for service in foreign countries.

Commissioner-General:

Duties of;

To make contracts for relief of aliens;

To detail officers to investigate public charges;

To detail officers abroad.

SEC. 23. That the duties of the commissioners of immigration shall be of an administrative character, to be prescribed in detail by regulations prepared, under the direction or with the approval of the Secretary of Commerce and Labor.

Commissioners:

Duties of.

SEC. 24. That immigrant inspectors and other immigration officers, clerks, and employees shall hereafter be appointed and their compensation fixed and raised or de-

Employees:

Appointing and promoting.

[a] For method of reporting, see Rule 30.

[b] For procedure for providing attendant, see Rule 37.

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creased from time to time by the Secretary of Commerce and Labor, upon the recommendation of the Commissioner-General of Immigration and in accordance with the provisions of the civil-service Act of January sixteenth, eighteen hundred and eighty-three: *Provided*,

Contract labor laws:
Special provision for enforcement of.

That said Secretary, in the enforcement of that portion of this Act which excludes contract laborers, may employ, without reference to the provisions of the said civil service Act, or to the various Acts relative to the compilation of the official register, such persons as he may deem advisable and from time to time fix, raise, or decrease their compensation. He may draw from the "immigrant fund" annually fifty thousand dollars or as much thereof as may be necessary, to be expended for the salaries and expenses of persons so employed and for expenses incident to such employment; and the accounting officers of the Treasury shall pass to the credit of the proper disbursing officer expenditures from said sum without itemized account whenever the Secretary of Commerce and Labor certifies that an itemized account would not be for the best interests of the Government: *Provided further*,

Commissioners:
Appointing.

That nothing herein contained shall be construed to alter the mode of appointing commissioners of immigration at the several ports of the United States as provided by the sundry civil appropriation Act approved August eighteenth, eighteen hundred and ninety-four, or the official status of such commissioners heretofore appointed.

Immigration officers:
Power and authority of;

Immigration officers shall have power to administer oaths and to take and consider evidence touching the right of any alien to enter the United States, and, where such action may be necessary, to make a written record of such evidence; and any person to whom such an oath has been administered under the provisions of this Act who shall knowingly or wilfully give false evidence or swear to any false statement in any way affecting or in relation to the right of any alien to admission to the United States shall be deemed guilty of perjury and be punished as provided by section fifty-three hundred and ninety-two, United States Revised Statutes. The decision of any such officer, if favorable to the admission of any alien, shall be subject to challenge by any other immigration officer, and such challenge shall operate to take the alien whose right to land is so challenged before a board of special inquiry for its investigation. Every alien who may not appear to the examining immigrant inspector at the port of arrival to be clearly and beyond a doubt entitled to land shall be detained for examination in relation thereto by a board of special inquiry.

False swearing before, perjury;
Challenging decision of.
Boards of special inquiry:
Detaining aliens for;
Appointing;

SEC. 25. That such boards of special inquiry shall be appointed by the commissioner of immigration at the various ports of arrival as may be necessary for the prompt determination of all cases of immigrants detained at such ports under the provisions of law.[a] Each

[a] See Rule 17 for form of oath of board member.

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Boards of special inquiry:

board shall consist of three members, who shall be selected from such of the immigrant officials in the service as the Commissioner-General of Immigration, with the approval of the Secretary of Commerce and Labor, shall from time to time designate as qualified to serve on such boards: *Provided*, That at ports where there are fewer than three immigrant inspectors, the Secretary of Commerce and Labor, upon the recommendation of the Commissioner-General of Immigration, may designate other United States officials for service on such boards of special inquiry. Such boards shall have authority to determine whether an alien who has been duly held shall be allowed to land or shall be deported. All hearings before boards shall be separate and apart from the public, but the said boards shall keep a complete permanent record of their proceedings and of all such testimony as may be produced before them; and the decision of any two members of a board shall prevail, but either the alien or any dissenting member of the said board may appeal through the commissioner of immigration at the port of arrival and the Commissioner-General of Immigration to the Secretary of Commerce and Labor, and the taking of such appeal shall operate to stay any action in regard to the final disposal of any alien whose case is so appealed until the receipt by the commissioner of immigration at the port of arrival of such decision which shall be rendered solely upon the evidence adduced before the board of special inquiry: *Provided*, That in every case where an alien is excluded from admission into the United States, under any law or treaty now existing or hereafter made, the decision of the appropriate immigration officers, if adverse to the admission of such alien, shall be final, unless reversed on appeal to the Secretary of Commerce and Labor; but nothing in this section shall be construed to admit of any appeal in the case of an alien rejected as provided for in section ten of this Act.[a]

Other officials for;

Authority of;

Hearings before, private.

Appeals:

Manner of taking;

Decision on, based solely upon original evidence;

Unless taken, decision of officers final;

Not allowed in cases rejected under section 10.

SEC. 26. That any alien liable to be excluded because likely to become a public charge or because of physical disability other than tuberculosis or a loathsome or dangerous contagious disease may, if otherwise admissible, nevertheless be admitted in the discretion of the Secretary of Commerce and Labor upon the giving of a suitable and proper bond or undertaking, approved by said Secretary in such amount and containing such conditions as he may prescribe, to the people of the United States, holding the United States or any State, Territory, county, municipality, or district thereof harmless against such alien becoming a public charge. The admission of such alien shall be a consideration for the giving of such bond or undertaking. Suit may be brought thereon in the name and by the proper law officers either of the United States Government or of any State, Territory, district,

Bonds:

Landing under;

In what cases permissible;

Bringing suits upon.

[a] See Rules 5–8.

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county, or municipality in which such alien becomes a public charge.[a]

Suits: Compromising, etc.; SEC. 27. That no suit or proceeding for a violation of the provisions of this Act shall be settled, compromised, or discontinued without the consent of the court in which it is pending, entered of record, with the reasons therefor.

Under former acts not affected hereby. SEC. 28. That nothing contained in this Act shall be construed to affect any prosecution, suit, action, or proceedings brought, or any act, thing, or matter, civil or criminal, done or existing at the time of the taking effect of this Act; but as to all such prosecutions, suits, actions, proceedings, acts, things, or matters the laws or parts of laws repealed or amended by this Act are hereby continued in force and effect.

Courts, circuit and district: Jurisdiction. SEC. 29. That the circuit and district courts of the United States are hereby invested with full and concurrent jurisdiction of all causes, civil and criminal, arising under any of the provisions of this Act.

Exclusive privileges: How granted; SEC. 30. That all exclusive privileges of exchanging money, transporting passengers or baggage, or keeping eating houses, and all other like privileges in connection with any United States immigrant station, shall be disposed of after public competition, subject to such conditions and limitations as the Commissioner-General of Immigration, under the direction or with the approval of the Secretary of Commerce and Labor, may prescribe: *Provided*, That no intoxicating liquors shall be sold in any such immigrant station; that all receipts accruing from the disposal of such exclusive privileges as herein provided shall be paid into the Treasury of the United States to the credit of the "immigrant fund" provided for in section one of this Act.

Proceeds from, to be paid into immigrant fund.

Peace officers: Admission to stations. SEC. 31. That for the preservation of the peace and in order that arrests may be made for crimes under the laws of the States and Territories of the United States where the various immigrant stations are located, the officers in charge of such stations, as occasion may require, shall admit therein the proper State and municipal officers charged with the enforcement of such laws, and for the purpose of this section the jurisdiction of such officers and of the local courts shall extend over such stations.

Commissioner-General: To make rules and contracts for inspection on land boundaries. SEC. 32. That the Commissioner-General of Immigration, under the direction or with the approval of the Secretary of Commerce and Labor, shall prescribe rules for the entry and inspection of aliens along the borders of Canada and Mexico, so as not to unnecessarily delay, impede, or annoy passengers in ordinary travel between the United States and said countries, and shall have power to enter into contracts with transportation lines for the said purpose.[b]

[a] See Rule 20 as to circumstances under which accepted.

[b] For arrangement on Canadian border, see Rule 25; on Mexican border, Rule 27.

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"United States;" Meaning of term.

SEC. 33. That for the purpose of this Act the term "United States" as used in the title as well as in the various sections of this Act shall be construed to mean the United States and any waters, territory, or other place subject to the jurisdiction thereof, except the Isthmian Canal Zone: *Provided*, That if any alien shall leave the canal zone and attempt to enter any other place under the jurisdiction of the United States, nothing contained in this Act shall be construed as permitting him to enter under any other conditions than those applicable to all aliens.

Canal Zone: Inspection of aliens from.

Commissioner: Appointment of, at New Orleans.

SEC. 34. That the Commissioner-General of Immigration, with the approval of the Secretary of Commerce and Labor, may appoint a commissioner of immigration to discharge at New Orleans, Louisiana, the duties now required of other commissioners of immigration at their respective posts.

Deportation: To be to transoceanic ports;

SEC. 35. That the deportation of aliens arrested within the United States after entry and found to be illegally therein, provided for in this Act, shall be to the trans-Atlantic or trans-Pacific ports from which said aliens embarked for the United States; or, if such embarkation was for foreign contiguous territory, to the foreign port at which said aliens embarked for such territory.

Of aliens entering unlawfully.

SEC. 36. That all aliens who shall enter the United States except at the seaports thereof, or at such place or places as the Secretary of Commerce and Labor may from time to time designate, shall be adjudged to have entered the country unlawfully and shall be deported as provided by sections twenty and twenty-one of this Act: *Provided*, That nothing contained in this section shall affect the power conferred by section thirty-two of this Act upon the Commissioner-General of Immigration to prescribe rules for the entry and inspection of aliens along the borders of Canada and Mexico.[a]

Ports of entry: To be designated on land borders.

Admission: Of diseased wife or minor children of alien who has declared intention to become citizen.

SEC. 37. That whenever an alien shall have taken up his permanent residence in this country, and shall have filed his declaration of intention to become a citizen, and thereafter shall send for his wife, or minor children to join him, if said wife or any of said children shall be found to be affected with any contagious disorder, such wife or children shall be held, under such regulations as the Secretary of Commerce and Labor shall prescribe, until it shall be determined whether the disorder will be easily curable, or whether they can be permitted to land without danger to other persons; and they shall not be either admitted or deported until such facts have been ascertained; and if it shall be determined that the disorder is easily curable or that they can be permitted to land without danger to other persons, they shall, if otherwise admissible, thereupon be admitted.[b]

[a] See Rule 38; also paragraph (*g*), Rule 21.
[b] See Rule 11.

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Anarchists: Not to be admitted;

SEC. 38. That no person who disbelieves in or who is opposed to all organized government, or who is a member of or affiliated with any organization entertaining and teaching such disbelief in or opposition to all organized government, or who advocates or teaches the duty, necessity, or propriety of the unlawful assaulting or killing of any officer or officers, either of specific individuals or of officers generally, of the Government of the United States or of any other organized government, because of his or their official character, shall be permitted to enter the United States or any territory or place subject to the jurisdiction thereof. This section shall be enforced by the Secretary of Commerce and Labor under such rules and regulations as he shall prescribe. That any person who knowingly aids or assists any such person to enter the United States or any territory or place subject to the jurisdiction thereof, or who connives or conspires with any person or persons to allow, procure, or permit any such person to enter therein, except pursuant to such rules and regulations made by the Secretary of Commerce and Labor shall be fined not more than five thousand dollars, or imprisoned for not more than five years, or both.[a]

Penalty for assisting to enter.

Immigration Commission: How appointed;

SEC. 39. That a commission is hereby created, consisting of three Senators, to be appointed by the President of the Senate, and three members of the House of Representatives, to be appointed by the Speaker of the House of Representatives, and three persons, to be appointed by the President of the United States. Said commission shall make full inquiry, examination, and investigation by sub-committee or otherwise into the subject of immigration. For the purpose of said inquiry, examination, and investigation, said commission is authorized to send for persons and papers, make all necessary travel, either in the United States or any foreign country, and, through the chairman of the commission or any member thereof to administer oaths and to examine witnesses and papers respecting all matters pertaining to the subject, and to employ necessary clerical and other assistance. Said commission shall report to the Congress the conclusions reached by it and make such recommendations as in its judgment may seem proper. Such sums of money as may be necessary for the said inquiry, examination, and investigation are hereby appropriated and authorized to be paid out of the "immigrant fund" on the certificate of the chairman of said commission, including all expenses of the commissioners and a reasonable compensation, to be fixed by the President of the United States, for those members of the commission who are not members of Congress; and the President of the United States is also authorized, in the name of the Government of the United States, to call, in his discretion, an international conference, to assemble at such point as may be agreed upon, or

Authority and duties;

Expenses of, how paid.

International Conference: President authorized to arrange for;

[a] For method of reporting, see Rule 30.

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to send special commissioners to any foreign country, for the purpose of regulating by international agreement, subject to the advice and consent of the Senate of the United States, the immigration of aliens to the United States; of providing for the mental, moral, and physical examination of such aliens by American consuls or other officers of the United States Government at the ports of embarkation, or elsewhere; of securing the assistance of foreign governments in their own territories to prevent the evasion of the laws of the United States governing immigration to the United States; of entering into such international agreements as may be proper to prevent the immigration of aliens who, under the laws of the United States, are or may be excluded from entering the United States, and of regulating any matters pertaining to such immigration.

International Conference: Purpose of.

SEC. 40. Authority is hereby given the Commissioner-General of Immigration to establish, under the direction and control of the Secretary of Commerce and Labor, a division of information in the Bureau of Immigration and Naturalization; and the Secretary of Commerce and Labor shall provide such clerical assistance as may be necessary. It shall be the duty of said division to promote a beneficial distribution of aliens admitted into the United States among the several States and Territories desiring immigration. Correspondence shall be had with the proper officials of the States and Territories, and said division shall gather from all available sources useful information regarding the resources, products, and physical characteristics of each State and Territory, and shall publish such information in different languages and distribute the publications among all admitted aliens who may ask for such information at the immigrant stations of the United States and to such other persons as may desire the same. When any State or Territory appoints and maintains an agent or agents to represent it at any of the immigrant stations of the United States, such agents shall, under regulations prescribed by the Commissioner-General of Immigration, subject to the approval of the Secretary of Commerce and Labor, have access to aliens who have been admitted to the United States for the purpose of presenting, either orally or in writing, the special inducements offered by such State or Territory to aliens to settle therein. While on duty at any immigrant station such agents shall be subject to all the regulations prescribed by the Commissioner-General of Immigration, who, with the approval of the Secretary of Commerce and Labor, may, for violation of any such regulations, deny to the agent guilty of such violation any of the privileges herein granted.

Information division: Establishment of; Duties and authority of.

State agents: Appointment and stationing at ports; Courtesies to; Control of.

SEC. 41. That nothing in this Act shall be construed to apply to accredited officials of foreign governments nor to their suites, families, or guests.[a]

Foreign officials: Exempted from provisions hereof.

[a] See paragraph (*b*), Rule 2.

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Amendatory of navigation act.

SEC. 42. It shall not be lawful for the master of a steamship or other vessel whereon immigrant passengers, or passengers other than cabin passengers, have been taken at any port or place in a foreign country or dominion (ports and places in foreign territory contiguous to the United States excepted) to bring such vessel and passengers to any port or place in the United States unless the compartments, spaces, and accommodations hereinafter mentioned have been provided, allotted, maintained, and used for and by such passengers during the entire voyage; that is to say, in a steamship, the compartments or spaces, unobstructed by cargo, stores, or goods, shall be of sufficient dimensions to allow for each and every passenger carried or brought therein eighteen clear superficial feet of deck allotted to his or her use, if the compartment or space is located on the main deck or on the first deck next below the main deck of the vessel, and twenty clear superficial feet of deck allotted to his or her use for each passenger carried or brought therein if the compartment or space is located on the second deck below the main deck of the vessel: *Provided*, That if the height between the lower passenger deck and the deck immediately above it is less than seven feet, or if the apertures (exclusive of the side scuttles) through which light and air are admitted together to the lower passenger deck are less in size than in the proportion of three square feet to every one hundred superficial feet of that deck, the ship shall not carry a greater number of passengers on that deck than in the proportion of one passenger to every thirty clear superficial feet thereof. It shall not be lawful to carry or bring passengers on any deck other than the decks above mentioned. And in sailing vessels such passengers shall be carried or brought only on the deck (not being an orlop deck) that is next below the main deck of the vessel, or in a poop or deck house constructed on the main deck; and the compartment or space, unobstructed by cargo, stores, or goods, shall be of sufficient dimensions to allow one hundred and ten cubic feet for each and every passenger brought therein. And such passengers shall not be carried or brought in any between decks, nor in any compartment, space, poop, or deck house, the height of which from deck to deck is less than six feet. In computing the number of such passengers carried or brought in any vessel, children under one year of age shall not be included, and two children between one and eight years of age shall be counted as one passenger; and any person brought in any such vessel who shall have been, during the voyage, taken from any other vessel wrecked or in distress on the high seas, or have been picked up at sea from any boat, raft, or otherwise, shall not be included in such computation. The master of a vessel coming to a port or place in the United States in violation of either of the provisions of this section shall be deemed guilty of a misdemeanor; and if the

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number of passengers other than cabin passengers carried or brought in the vessel, or in any compartment, space, poop, or deck house thereof, is greater than the number allowed to be carried or brought therein, respectively, as hereinbefore prescribed, the said master shall be fined fifty dollars for each and every passenger in excess of the proper number, and may also be imprisoned not exceeding six months. Amendatory of navigation act.

This section shall take effect on January first, nineteen hundred and nine.

SEC. 43. That the Act of March third, nineteen hundred and three, being an Act to regulate the immigration of aliens into the United States, except section thirty-four thereof, and the Act of March twenty-second, nineteen hundred and four, being an Act to extend the exemption from head tax to citizens of Newfoundland entering the United States, and all Acts and parts of Acts inconsistent with this Act are hereby repealed: *Provided*, That this Act shall not be construed to repeal, alter, or amend existing laws relating to the immigration or exclusion of Chinese persons or persons of Chinese descent, nor to repeal, alter, or amend section six, chapter four hundred and fifty-three, third session Fifty-eighth Congress, approved February sixth, nineteen hundred and five, or, prior to January first, nineteen hundred and nine, section one of the Act approved August second, eighteen hundred and eighty-two, entitled "An Act to regulate the carriage of passengers by sea." Repealing clause: Exceptions.

SEC. 44. That this Act shall take effect and be enforced from and after July first, nineteen hundred and seven: *Provided, however*, That section thirty-nine of this Act and the last proviso of section one shall take effect upon the passage of this Act and section forty-two on January first, nineteen hundred and nine. When effective.

Approved February 20, 1907. (34 Stat., pt. 1, p. 898.)

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DEPARTMENT OF COMMERCE AND LABOR,
BUREAU OF IMMIGRATION AND NATURALIZATION.

Note: Meaning of terms employed.

NOTE.—Wherever, in the following rules, the expression "Immigration Act" is used, it shall be understood to refer to the act entitled "An act to regulate the immigration of aliens into the United States," approved February 20, 1907; and wherever a numbered section is mentioned it shall be understood to refer to the section of that number in said act, unless explicitly stated to the contrary.

Philippine Islands: Regulations not applicable to.

The following rules do not apply to aliens seeking admission to the Philippine Islands, the administration of the immigration laws and the collection of head tax therein having been vested in the officers of the general government of those islands by section 6 of the act approved February 6, 1905.

RULES RELATING TO HEAD TAX.

Head tax: Collection of;

RULE 1. *Collection of head tax.*—The head tax imposed by section 1 of the Immigration Act is to be levied and collected in respect of all aliens entering the United States, except such as are described in Rule 2 hereof.

Certification of, to collector;

Upon the arrival of any aliens at any seaport of the United States, the immigration officer in charge shall certify to the collector of customs the number of aliens on account of whom the tax is payable and the name of the person required to pay the same. Upon receipt of such certificate, the collector of customs shall forthwith collect a tax of four dollars for each alien so certified.

Deposit of;

The tax collected on account of aliens, who are not permitted to land, but are held for examination by a board of special inquiry, and the tax collected on account of aliens permitted to enter for the purpose of passing in transit through the United States, shall be held as a special deposit, to be refunded, in the one case, when an alien detained for examination has been excluded, and in the other, when an alien proceeding in transit through the United States has left the country. The collections so

Refundment of;

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made shall no longer be held on special deposit, but shall be accounted for in the regular manner, in the case of aliens detained for examination, so soon as it shall appear that they are admitted, and, in the case of aliens entering for the purpose of transit, if, at the expiration of thirty days, it is not shown that they have passed out of the country. Head tax:

The head tax payable on account of aliens entering the United States from foreign contiguous territory shall be levied and collected, at Mexican border ports, according to the provisions of Rule 27 hereof, and at Canadian border ports according to the terms of an agreement between the Commissioner-General of Immigration and certain transportation companies, embodied in Rules 24 and 25 hereof. Collection of, on Mexican and Canadian borders;

RULE 2. *Exemptions from head tax.*—The head tax shall not be levied in respect of the following aliens: Exemptions from—

(*a*) Aliens who do not enter the United States because excluded from admission thereto by the Immigration Act. (Secs. 1 and 2.) Excluded aliens—

(*b*) Diplomatic and consular officers and other accredited officials of foreign governments, their suites, families, and guests coming to the United States to reside or to pass through in transit. (Sec. 41.) Diplomatic officers—

(*c*) Head tax shall not be collected on account of aliens entering the United States from Canada, Newfoundland, Cuba, or Mexico whose legal domicile or bona fide residence was in one of the countries specified for at least one year immediately preceding such entrance if it merely appears that the continuity of their physical presence at their place of residence or domicile was broken by one or more transient and temporary departures therefrom; nor shall head tax be collected on account of such aliens if it merely appears that, instead of entering the United States from Canada, Newfoundland, Cuba or Mexico directly, they come by way of some other foreign country in which they had made a merely temporary or transient sojourn. Residents Canada, Newfoundland, Cuba, and Mexico—

(*d*) Head tax shall not be collected on account of aliens reentering the United States from Canada, Newfoundland, Cuba, or Mexico who are citizens thereof but who have acquired a legal domicile or bona fide residence in the United States, and who are returning from a visit to one of the said countries, notwithstanding that the period of a full year has not intervened between the date of their departure from and the date of their return to the United States.

(*e*) Aliens, otherwise admissible, who are residents of any possession of the United States, provided at the time of admission to such possession head tax was paid on their account. (Sec. 1.) Residents insular possessions—

(*f*) Aliens who enter the United States only for the purpose of transit to foreign destinations. Collections made in respect of such aliens will be held on special de- Transits—

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Head tax:

posit and will be refunded pursuant to Rules 1 and 41. (Sec. 1.)

Aliens in continuous journey—

(*g*) Aliens who have been lawfully admitted to the United States and who later shall go in transit from one part of the United States to another through foreign contiguous territory. Satisfactory evidence of such previous lawful admission and of previous payment of head tax shall be required in the case of aliens on whose behalf this exemption is claimed, as in paragraphs (*c*) and (*d*) of this rule. Personal knowledge on the part of an immigration officer, or a written statement from such an officer based on an examination of official records certifying to the fact of previous entry and payment of tax, will be sufficient. As evidence of the continuity of the transit, production of a dated passenger ticket, where such exists, may be required. (Sec. 1.)

At ports of Guam, Porto Rico, and Hawaii.

(*h*) Aliens arriving in Guam, Porto Rico, or Hawaii; but if any such alien, not having become a citizen of the United States, shall later arrive at any port or place of the United States on the North American Continent the provisions for the levy and collection of head tax shall apply. (Sec. 1.)

Immigrant fund:

RULE 3. *Accounting for head tax and other receipts.*—

Accounting for receipts for.

All moneys collected on account of head tax, as well as all moneys collected for rentals of exclusive privileges at United States immigrant stations and all moneys collected as fines for violations of the immigration laws (whether imposed by the Department or the courts), shall be deposited to the credit of the Treasurer of the United States on account of the "immigrant fund," with an assistant treasurer of the United States, or national-bank depositary, in the same manner as other miscellaneous collections are deposited. Separate accounts of the receipts and expenditures of money under the act shall be rendered monthly to the Secretary of the Treasury through the Department of Commerce and Labor on forms to be furnished by the Government for the purpose.

RULES RELATING TO ADMISSION OR EXCLUSION.

Immigration Act:

RULE 4. *Application of Immigration Act.*—The provisions of the Immigration Act apply to all aliens seeking to enter the United States, except accredited officials of foreign governments, their suites, families, and guests. The act also prescribes the conditions of their admission to or exclusion from the United States, or any waters, territory, or other place subject to the jurisdiction thereof, except the Isthmian Canal Zone. The act becomes effective when such aliens arrive from any foreign country, or other place without the jurisdiction of the United States, or from the Canal Zone. The provisions of the Immigration Act do not apply to aliens who have once been duly admitted to the United States or any waters, territory, or other place subject to the jurisdiction thereof,

To whom applicable.

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proceeding to or from the continental territory of the United States, except aliens coming from the Canal Zone, and except Japanese or Korean laborers coming from Hawaii, with passports limited to Hawaii, Mexico, or Canada. The admission of aliens coming from the Canal Zone is governed by the regulations applicable to aliens generally; the admission of Japanese or Korean laborers to the continental territory of the United States is governed by the provisions of the Executive order of the President embodied in Rule 21 hereof.

Examination: Who excludable upon;

RULE 5. *Examination of aliens.*—No alien who falls within one of the classes of persons enumerated and defined in section 2 of the Immigration Act or in the Executive order embraced in Rule 21 hereof shall be admitted to the United States, nor (with the exception of the Isthmian Canal Zone) to any waters, territory, or other place subject to the jurisdiction thereof. Every alien seeking to enter the United States, as thus defined, who does not fall within any of the classes so enumerated, shall be admitted.

Children under 16;

Children under sixteen years of age, unaccompanied by one or both of their parents, shall not be permitted to enter the United States, if it appears, or the circumstances indicate, that they are to be placed in forced or "padrone" servitude or in any employment unsuited to their years.

Primary inspection;

Every alien arriving at a port of the United States shall be promptly examined, as by law provided, either on shipboard or at some other place designated for that purpose. Every alien who may appear to the examining immigrant inspector to be clearly and beyond doubt entitled to land shall be at once admitted; every alien who may not appear to be clearly and beyond a doubt entitled to land shall be detained for examination by a board of special inquiry, which examination shall be promptly conducted separate and apart from the public, and, upon the conclusion thereof, the alien shall be either immediately landed or ordered excluded and returned to the country whence he came. If an appeal lies, the alien shall be informed of his right thereto, and the fact that he has been so informed shall be entered of record in the minutes of the board's proceedings. If the alien elects to appeal, he must, to enable officers to comply with the provisions of section 19, file notice of such appeal not less than forty-eight hours prior to the sailing of the first vessel by which his return may be effected, unless such sailing occurs less than forty-eight hours after the order of deportation is made. But in no event shall an appeal be considered after an alien has, in consequence of an adverse decision of a board of special inquiry, been transferred from an immigrant station to be excluded, unless such transfer has been made to prevent congestion, or danger of contagion, as provided by Rule 8 hereof.

Board special inquiry inspection.

Appeals: Notifying alien of right to; Filing notice of;

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Appeals: Notice to steamship company;

If an alien, rejected on account of disability or disease, or because insane or mentally defective, is in such physical or mental condition as to require special care and attention during the ocean voyage and land trip of deportation, the commissioner or inspector in charge shall, when delivering such rejected alien into the custody of the master or first or second officer of the vessel by which deportation is to be effected, furnish such officer with a statement of particulars (Form No. 597) and accompanying receipt and returns, for use in accordance with the provisions of Rule 37 hereof, all applicable requirements of which rule shall be observed. In the cases of aliens rejected by boards of special inquiry, or by the Department on appeal, the commissioner of immigration or inspector in charge shall, as promptly as circumstances permit, notify the steamship line by a vessel of which the alien is to be deported, furnishing full particulars as to the cause of rejection, and, if the alien is diseased, disabled, or insane, a statement of the alien's condition.

When permissible;

RULE 6. *Appeals.*—Except as specified in this rule, an appeal may be taken by the alien himself or by a dissenting member of the board from any decision of a board of special inquiry which determines whether an alien shall be admitted or excluded. No appeal is permissible when the decision of the board rejecting an alien *is based upon* a certificate of the examining medical officer which shows—

When not permissible; because decision is based on medical certificate;

(*a*) That the alien is afflicted with tuberculosis or with a loathsome or dangerous contagious disease;

(*b*) That the alien is an idiot, an imbecile, an epileptic, or is insane or feeble-minded;

(*c*) That the alien has been insane within five years previously, or has had two or more attacks of insanity at any time previously;

(*d*) That the alien has any *mental* defect which in the board's opinion may affect his ability to earn a living or render him likely to become a public charge;

(*e*) That the alien has any *physical* defect which in the board's opinion may affect his ability to earn a living or render him likely to become a public charge; but aliens coming within this class may nevertheless be admitted, in the discretion of the Secretary, as provided in Rule 20 hereof.

Discretion of board of inquiry under section 10;

Boards of special inquiry in reaching decisions "based upon the certificate of the examining medical officer" are to be governed by the following considerations: It is "the decision of the board of special inquiry" which is made unappealable in certain cases by section 10, and not "the certificate of the examining medical officer." In arriving at a decision, therefore, the board is required to exercise its own discretion in determining whether or not it will "base" the same upon the certificate of the examining medical officer. Where the decision of the board is

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expressly "based" upon medical certificates of the character specified by section 10, no appeal is allowed by the act. But whether the board will so "base" its decision will naturally depend upon the circumstances of the case. Thus— Appeals:

When the medical certificate shows that an alien is affected with tuberculosis or with a loathsome or dangerous contagious disease, or when it shows that an alien is an idiot, an imbecile, or an epileptic, or is insane or feeble-minded, the board of special inquiry, in the absence of competent and convincing evidence to the contrary, is virtually forced to "base" its decision upon that certificate, the reason being that whether or not an alien is so affected is purely a matter of medical science and not such a matter as to which a board of laymen can be expected to reach an intelligent conclusion. Circumstances determining whether board's decision shall be based on medical certificate, and whether case shall be decided by board subject to appeal or shall be considered an application for bond.

Where the medical certificate states that an alien is affected with any mental defect or physical defect (other than those just named), either of which defects is of a nature that might affect the ability of the alien to earn a living or make him likely to become a public charge, or when the medical certificate states that the alien has been insane within five years previously, or has had two or more attacks of insanity at any time previously, the question to be determined is a practical one quite as much as a medical one, and boards of special inquiry should not only receive and carefully consider the certificate of the medical officer, but should likewise consider all the facts and surrounding circumstances of the case, and from the case as a whole reach their own conclusion as to whether the defect is of a nature which may, considering all the circumstances of the case, affect his ability to earn a living or render him likely to become a public charge, or whether the alien has actually been afflicted in the past.

If the defect for which certified is *physical*, not *mental*, and, on consideration of the whole case, the board's decision is that such physical defect is one which may affect his ability to earn a living or render him likely to become a public charge, and the alien is otherwise admissible, he should be given an opportunity to make application for landing under bond in accordance with Rule 20. Application for landing under bond and Appeals:

If, on the other hand, the board's conclusion is that the defect is not of such a nature as to affect the ability of the alien to earn a living or render him likely to become a public charge, considering all the facts surrounding his case, and that the alien is otherwise admissible, the board should land the alien unconditionally; or, if the board's conclusion is that the alien should be rejected, not solely because of the certificate but on the basis of all the facts and circumstances, the alien should be rejected and advised of his right to appeal in the usual manner.

To summarize so much of the foregoing as relates to the distinction between *appeals* and applications for admission under *bond:* Distinction drawn between.

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When a board concludes that an alien is "liable to be excluded because likely to become a public charge or because of physical disability other than tuberculosis or a loathsome or dangerous contagious disease," and such conclusion is not based *solely upon the medical certificate, the board should render a decision, from which decision the alien has the right of appeal.*

But when the board reaches such conclusion upon the basis solely *of the medical certificate, no decision should be rendered, but the alien should be given an opportunity to apply for admission under bond in accordance with Rule 20.*

Appeals:

Notice of, to act as stay of deportation;

RULE 7. *Appeals, procedure.*—Notice of appeal shall act as a stay of all proceedings until a final decision is rendered by the Secretary; and, within forty-eight hours after the filing of such notice, the complete record of the case shall be forwarded to the Commissioner-General of Immigration by the immigration officer in charge at the port of arrival, accompanied by his views thereon in writing; but on such appeal of any case to the Secretary no evidence will be considered which has not already been passed upon in said case by a board of special inquiry at the original hearing, or upon a rehearing if so ordered. (See sec. 25.) If, to prevent a miscarriage of justice, additional time is granted to the friends or counsel of an appealing alien, the said immigration officer may require the deposit of a sum of money sufficient to defray the cost of maintaining appellant during the additional time thus allowed.

Evidence considered on;

Granting additional time for;

Making record of;

RULE 8. *Appeals, procedure.*—The commissioner of immigration or the immigration officer in charge at the port of landing shall enter of record the name of every alien found upon examination to be within any of the prohibited classes, with a statement of the decision in each case; and if such decision be appealed from immediately upon the receipt from the Department of its conclusions thereupon the alien shall be landed or deported in accordance with such conclusion. If a landing is refused on appeal, the master, agent, consignee, or owner of the vessel by which the said alien arrived shall be notified by the commissioner or officer in charge, and advised that the alien will be placed aboard the vessel of the line involved next sailing, for deportation. The commissioner or officer in charge at a port of entry where a detention station is located may, immediately upon exclusion, place debarred aliens on board the vessel by which they are to be deported, if in his judgment such action is necessary to prevent congestion or danger of contagion in such station. (See Rule 5.)

Notifying steamship of dismissal of.

Medical examination:

What surgeons to conduct;

RULE 9. *Medical examination.*—Officers of the United States Public Health and Marine-Hospital Service (or, if such officers are not available, civil surgeons of not less than four years' professional experience) are required by section 17 of the Immigration Act to make a physical and

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mental examination of all arriving aliens, and to certify for the information of immigration officers any and all physical and mental defects or diseases observed by them. Every officer of such Service detailed for this duty shall, subject to the instructions of the Surgeon-General of the Public Health and Marine-Hospital Service, be under the direction of the immigration officer in charge of the port to which he may be detailed. Medical examination:

The certificate of the medical officer shall state the physical or mental defect or disease observed, specifying the name by which it is known in common speech as well as the name by which it is known in medicine; and the certificate shall also state: Certificates covering, contents of—

(*a*) Where an alien is certified as having been insane within five years previous, or as having had two or more attacks of insanity at any time previously, how the previous existence of the malady has been ascertained (sec. 2); Insane within 5 years;

(*b*) Where an alien is certified as being afflicted with a loathsome or dangerous contagious disease, that the disease named is in fact a loathsome or dangerous contagious disease, and is or is not of a quarantinable nature (secs. 2, 19); Contagious diseases;

(*c*) Where an alien is certified as having a mental or physical defect of a nature which may affect his ability to earn a living, or as being likely to become a public charge by reason of any mental or physical disability, the bearing of such mental or physical shortcoming upon the customary occupation of the alien and upon his general capacity for useful employment, whether such defect is of a temporary or permanent nature, and whether the deficiency of the alien has been corrected by artificial or educational means (secs. 2, 10, 26); Mental and physical defects;

(*d*) Where an alien is certified for permission to land for medical treatment in any hospital of the United States, or where it is certified that the health or safety of an insane alien would be unduly imperiled by immediate deportation, that the alien is not suffering from tuberculosis or from a loathsome or dangerous contagious disease of a nonquarantinable nature, and the probable duration of the alien's detention in hospital, asylum, or elsewhere (sec. 19); When hospital treatment required;

(*e*) Where an alien is certified as being helpless from sickness, mental or physical disability, or infancy, whether such alien requires the protection or guardianship of an attendant (secs. 11, 21); For helplessness;

(*f*) Where the wife or minor children of a domiciled alien are certified as being affected with any contagious disorder, whether such disorder is a loathsome or a dangerous one, the probable length of time needed to determine whether the disorder will be easily curable, and whether they can be permitted to land without danger to other persons (sec. 37); and Wives and minor children;

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Medical examination:

Certificates covering, contents of—

Persons afflicted at time foreign embarkation.

(*g*) Where an alien is certified as being an idiot, imbecile, epileptic, or afflicted with tuberculosis or with a loathsome or dangerous contagious disease, whether the alien was so afflicted at the time of foreign embarkation, whether the existence of the disease or disability might have been detected by means of a competent medical examination at such time, how the previous condition of the alien has been ascertained, and the ground for believing that it might have been detected by a competent examination.

Landing for hospital treatment:

Conditions under which permissible;

RULE 10. *Landing for hospital treatment.*—(*a*) Where an alien has been excluded by decision of a board of special inquiry and the order for the return of the alien has been suspended, or where an alien is held, pending the determination of his case, by order of court, to await transportation, on account of his health, because his testimony is required in the prosecution of offenders against the act, or for some other cause, an application may be made, accompanied by the certificate of the medical examiner, to the Secretary of Commerce and Labor for permission to allow the landing of the alien for hospital treatment or other appropriate care or attention.

Evidence required, in urgent cases—

(*b*) Such an application will be granted as of course where it is certified by the medical examiner that the health or safety of an insane alien would be unduly imperiled by immediate deportation, or where it is manifest to the commissioner of immigration, or the immigration officer in charge, that the condition of the alien requires immediate hospital treatment. In such cases, pending the decision of the Secretary, hospital treatment or other appropriate care or attention shall be immediately afforded.

—in other cases;

(*c*) In all other cases the application will not be granted unless it clearly appears from the report of the commissioner of immigration, or the immigration officer in charge, or from other evidence accompanying the application, that such a course is necessary to meet the ends of justice and humanity.

By "express permission" of Secretary—

(*d*) Applications to land for medical treatment in a hospital of the United States by the "express permission" of the Secretary, made by or on behalf of aliens certified to be suffering from tuberculosis or from a loathsome or dangerous contagious disease (sec. 19), must be accompanied by a certificate of a Public Health and Marine-Hospital surgeon showing the exact character and extent of the malady with which the alien is suffering and estimating the duration of the treatment that will be required to effect a cure. The alien making the application, or the person making it in his behalf, shall deposit with the commissioner of immigration, or inspector in charge, a sum of money sufficient to cover the cost of

Evidence required—

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affording the alien treatment for the period of time estimated in the above-mentioned certificate (and give satisfactory assurances that further deposit will be remitted if needed), if such estimated period does not exceed sixty days; and, in the event the estimate is for more than said time, a deposit shall be made sufficient to cover treatment for sixty days, and satisfactory assurances given that at the expiration of said period a further deposit will be made sufficient to cover cost of treatment for thirty days additional and a remittance of a similar amount at the commencement of each succeeding period of thirty days, until the alien is cured and allowed to proceed, or the case otherwise disposed of. There shall also be deposited by the alien, or by the person making the application in his behalf, a sum of money (or transportation ticket and money) sufficient to defray the expense of forwarding the alien, if and when eventually cured, to his destination within the United States; and, in the event that such alien is a person who, by reason of infancy or other cause, will require the care of an attendant while traveling, such deposit shall be sufficient to also cover the expense of detailing an employee of the Immigration Service to accompany the alien to his destination, and the cost of the return of such employee to his or her station, or satisfactory assurances must be given that such an attendant will be furnished by the person making the application. The certificate above mentioned shall be forwarded to the Bureau of Immigration and Naturalization, accompanied by a report of the circumstances of the case, sufficiently detailed to enable the Department to determine whether there are present any peculiar conditions that render the exercise of its authority necessary to meet the ends of justice and humanity. Such report shall also show whether the deposits and assurances hereinbefore mentioned have been made and given, describing the character of the assurances. If the application is granted by the Department the alien will be permitted to enter a hospital for treatment. Should such treatment extend over a period exceeding sixty days and the deposit to cover any succeeding thirty-day period not be promptly forthcoming upon demand, the fact of such failure shall be immediately reported to the Department in order that instructions for the deportation of the alien may issue. When any alien so detained is cured and allowed to proceed to destination, such amount as remains unexpended of the deposit or deposits made on his account shall be returned to the depositor and his receipt taken therefor.

Landing for hospital treatment:

By "express permission" of Secretary—

Deposits required—money and transportation;

Procedure regarding alien and deposits;

(*e*) The landing or detention of an alien for the purpose contemplated by this rule shall not be construed in any manner to alter the status of the alien with reference to his right to enter or remain in the United States. (Sec. 19.)

Not admission.

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Wives and children of domiciled aliens: Landing of, for treatment;

RULE 11. *Detention of sick wives or children.*—Where, upon the arrival of the wife or minor child or children sent for by a domiciled alien, or of the minor child or children of a naturalized citizen, born abroad prior to his naturalization, such wife, child, or children are found to be afflicted with a contagious disorder and it can not be immediately determined whether the disorder will be easily curable, they shall be held until a determination can be had, and an application may be made, accompanied by the certificate of the medical examiner, to the Secretary of Commerce and Labor for permission to allow the landing of such wife or child for hospital treatment or other appropriate care or attention. In such cases, where necessary, pending the decision of the Secretary, hospital treatment or other appropriate care or attention shall be immediately afforded. This application or the accompanying papers must clearly show that the husband or father has actually taken up his permanent residence in this country and has actually filed his declaration of intention to become a citizen of the United States, or has actually been naturalized, and that he is in fact the husband or father of the alien in question. Nothing contained herein shall be taken as in any manner affecting the liability of transportation companies under section 9, or as altering the status of the aliens concerned with reference to their admission or exclusion. (See sec. 37, and Rules 10 and 12.)

Evidence required.

Helpless aliens: Guardian en voyage for, when deported.

RULE 12. *Detention of attendants for helpless aliens.*—Where it is found that an alien is helpless from sickness, mental or physical disability, or infancy, and that, if excluded, he will require the protection and guardianship of an attendant upon his return to the country whence he came, if the alien arrives accompanied by others, not more than one of such accompanying aliens (preferably a natural guardian or relative) shall be detained to act if, in the judgment of the commissioner of immigration or the immigration officer in charge, such detention is necessary. Such detention shall not be deemed necessary, but is permissible, in quarantinable cases. If the alien arrives unaccompanied, a suitable person shall be employed for the purpose. The expense incident to such detention or employment and to the transportation involved shall be borne by the transportation company. (Secs. 11, 19, 21.)

Disabled aliens: Hospital treatment of;

RULE 13. *Detention and treatment of aliens, procedure and expense of.*—(*a*) A disabled alien, within the purview of Rules 10, 11, and 12 hereof, may be afforded the required medical treatment on board ship or in the detention quarters, or may be removed to a suitable hospital for treatment, as in his discretion the commissioner of immigration or inspector in charge at the port may decide is required by existing circumstances and the condition of the alien's health as reported upon by the surgeon charged

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with the medical examination of aliens at such port. If such an alien is removed to a hospital he shall not be regarded as in any sense landed, and the cost of his maintenance and care there must be borne in one of the several ways hereinafter specified, as the circumstances of the case may require. Disabled aliens;

(*b*) If in the judgment of the commissioner or inspector in charge, based upon the expressed opinion of the medical examiner, it is necessary as a measure of humanity or for the proper care of an alien removed to hospital to also place in the hospital a suitable attendant or some person who is dependent upon the disabled alien, or the reverse, the cost of the detention in hospital of such additional person must be borne in the same manner as the cost of treating the disabled alien. Attendants for;

(*c*) The expenses involved in detaining or treating aliens shall be borne as follows: (1) *By the immigrant fund.*—In cases of (*aa*) Those held as witnesses under section 19 and Rule 14; (*bb*) Insane aliens whose health or safety would be unduly imperiled by immediate deportation (sec. 19); (*cc*) Wives and minor children of aliens who have declared intention, or minor children of naturalized citizens born abroad prior to naturalization of parent (sec. 37 and Rule 11; Op. Compt., Jan. 15, 1908). (2) *By the alien.*—Those treated by "express permission" of the Secretary, under section 19, although afflicted with tuberculosis or a loathsome or dangerous contagious disease, in accordance with the provisions of Rule 10 (Op. Compt., Jan. 15, 1908). (3) *By the alien, preferably, but by immigrant fund under special authority.*—Aliens whom it is necessary for any reason to hold at a port of entry, *after admission*, in accordance with Rule 15. (4) *By steamship companies.*—Aliens not falling within any of the foregoing classes whom it is necessary for any reason to hold or to treat in hospital *pending determination* of right to land, or awaiting deportation under order of rejection of a board of special inquiry or of the Department (sec. 19). Expenses of hospital care of;

(*d*) Covering cases of the character mentioned in class (4) of the preceding paragraph, bills for hospital treatment and maintenance shall be rendered monthly by hospitals against the steamship companies responsible, through the office of the commissioner of immigration or inspector in charge, the latter's approval to be attached to the bills, if found correct, before forwarding them to the companies for settlement. Officers of the Immigration Service will in all such cases look to the steamship companies for settlement of the hospital bill. If any steamship company refuses to pay such bills rendered with the approval of the immigration officials, it will, of course, be necessary to require thereafter that all aliens brought by the vessels of such company shall be held on board ship until their applications for admission have been finally adjudicated. Bills for hospital treatment of; Refusal to pay for treatment of.

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Witnesses:
Holding aliens to act as.

RULE 14. *Holding of aliens as witnesses.*—When it is thought that the deportation of an excluded alien should be suspended so that his testimony may be had in a prosecution of offenders against the Immigration Act, in reporting to the Bureau the violation of law involved, immigration officials should give reasons for the belief that the violators should be prosecuted and the aliens held as witnesses, and if such reasons are found sufficient, authority will issue, with the approval of the Secretary, for the holding of the witnesses at the expense of the "immigrant fund." (Sec. 19.)

Assisting and protecting aliens:
Providing means in case of accident.

RULE 15. *Assistance to admitted aliens.*—Any alien who has been admitted may be permitted to wait for friends or remittances upon payment by him of the actual expenses incurred by reason of such delay. In case such an alien is unable, from accident or other unavoidable circumstances, to immediately continue his journey, and is without sufficient means to defray the expense of his enforced delay, the commissioner of immigration may, in his discretion, pay said expense, reporting said case to the Bureau of Immigration and Naturalization, with reasons for his action, and request that such expense be repaid out of the "immigrant fund."

Charges for care and maintenance:
Not to exceed actual cost.

RULE 16. *Charges for care and maintenance.*—At ports where the Immigration Service maintains hospitals no charge for food, lodging, or maintenance, or for hospital attendance, medicines, or other hospital expenses shall be made in excess of the actual cost of furnishing the same, the intention being to make the Service self-supporting without profit.

Members of boards of special inquiry:
Oath to be taken by.

RULE 17. *Oath, board of special inquiry.*—Any immigration or other Government officer appointed to serve on a board of special inquiry under the provisions of section 25 of the Act approved February 20, 1907, shall be required to subscribe to the following oath:

FORM 566. DEPARTMENT OF COMMERCE AND LABOR,
IMMIGRATION SERVICE.

I, _____, having been designated by _____ _____ to serve as a member of a board of special inquiry, under the provisions of section 25 of the act of Congress approved February 20, 1907, do solemnly _____ that I will use my best endeavors as a member of such board to enforce the laws of the United States relating to the admission or exclusion of certain classes of aliens, and that I will well and faithfully discharge the duties of the office mentioned.

_____ and subscribed before me this _____ day of _____ _____, A. D. 190__.

[Official seal.] _____

Attorneys:
Fees to be charged by;

RULE 18. *Appearance of attorneys.*—Attorneys and persons appearing in behalf of detained aliens shall not be permitted to charge a sum exceeding ten dollars in each case unless the commissioner or officer in charge shall, in

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writing, allow an additional compensation. A family or party of aliens traveling together shall be regarded as constituting a "case" within the meaning hereof. If for any special reason an attorney deems himself entitled to a larger fee, or if it is actually necessary for such attorney to incur expense in an alien's behalf, he shall report such facts to the commissioner or officer in charge when applying for the privilege of charging an additional fee or claiming reimbursement for expenses, and, if permission is granted, shall collect such additional fee or expenses only through the commissioner or officer in charge. Anyone charging an alien a fee prior to his detention, or charging or receiving from an alien or his relatives or friends a fee, gift, or compensation for his services in excess of the above rate, except in the manner provided, or who shall deprive an alien of any part of his chattels or effects in lieu of, or as security for, said fee, will, upon reasonable proof of such misconduct, and after having been allowed a fair opportunity to answer the charge, be disbarred by the Department (to which a full report of the matter shall be made) from practicing at any immigration station of the United States. The names and addresses of attorneys or other persons so disbarred shall be conspicuously posted at the immigration station where the misconduct occurred and their names recorded in the office of the Commissioner-General of Immigration.

Attorneys: Method of disbarring for misconduct; Keeping record of.

RULE 19. *Notice of sailings.*—The master, agent, owner, or consignee of any vessel on which aliens are brought to the United States shall, at least twenty-four hours in advance thereof, notify the commissioner of immigration or officer in charge of the intended time of sailing of such vessel, in order that such officer may place on board the vessel every alien brought thereon who has been finally refused a landing.

Notice of sailings: Masters of vessels to give.

RULE 20. *Admissions under bond.*—If, in following the provisions of Rule 6 hereof relating to appeals, *the board of special inquiry reaches the conclusion* that an alien in whose case a medical certificate for some *physical* defect, other than tuberculosis or a loathsome or dangerous contagious disease, has been rendered *is* excludable solely because such certified physical defect is, in the board's opinion, "of a nature which may affect the ability of such alien to earn a living," or render him liable to become a public charge, but that such alien is otherwise admissible, and, after notice of his right to do so, the alien signifies an intention to apply for admission under bond, the board shall not enter an excluding decision against the alien as in other cases, but shall make a special finding of fact in the premises and report the same, including the certificate of the medical examiner, to the immigration officer in charge, who shall forward the report, together with his recommendation, to the Secretary of Commerce

Admissions under bond: Cases in which permissible; Procedure for;

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Admissions under bond:

and Labor, through the Commissioner-General of Immigration. (See secs. 10 and 26 and Rule 6.)

Amount of bond;

If, in the exercise of the discretion conferred by law, the Secretary decides to admit the alien, a bond will be required in an amount which in no case shall be less than five hundred dollars. The sureties thereto shall be parties of known and ascertained responsibility and approved by the commissioner of immigration or immigration officer in charge. The bond shall be executed in duplicate on forms supplied by the Bureau, but shall not be accepted until landing of the alien under bond is authorized by the Department.

Sureties on bond;

Bond to be in duplicate;

Procedure if bond not forthcoming.

If, within a reasonable time, not to exceed thirty days, after the receipt of the Department's authority for the landing of an alien under bond, there is not forthcoming bond with acceptable sureties, that fact, and all others that may have a bearing upon the matter, shall be reported to the Department, with request for instructions; and if in any such case the former decision of the Department is reversed, the alien shall then be formally rejected by the board.

Japanese and Korean laborers:

RULE 21. *Japanese and Korean laborers.*—The following rule is promulgated for the purpose of giving effect to an Executive order of the President issued on March 14, 1907, reading:

President's proclamation concerning;

Whereas, by the act entitled "An act to regulate the immigration of aliens into the United States," approved February 20, 1907, whenever the President is satisfied that passports issued by any foreign government to its citizens to go to any country other than the United States or to any insular possession of the United States or to the Canal Zone, are being used for the purpose of enabling the holders to come to the continental territory of the United States to the detriment of labor conditions therein, it is made the duty of the President to refuse to permit such citizens of the country issuing such passports to enter the continental territory of the United States from such country or from such insular possession or from the Canal Zone;

And Whereas, upon sufficient evidence produced before me by the Department of Commerce and Labor, I am satisfied that passports issued by the Government of Japan to citizens of that country or Korea and who are laborers, skilled or unskilled, to go to Mexico, to Canada and to Hawaii, are being used for the purpose of enabling the holders thereof to come to the continental territory of the United States to the detriment of labor conditions therein;

I hereby order that such citizens of Japan or Korea, to wit: Japanese or Korean laborers, skilled and unskilled, who have received passports to go to Mexico, Canada or Hawaii, and come therefrom, be refused permission to enter the continental territory of the United States.

It is further ordered that the Secretary of Commerce and Labor be, and he hereby is, directed to take, through the Bureau of Immigration and Naturalization, such measures and to make and enforce such rules and regulations as may be necessary to carry this order into effect.

Subject to general immigration laws;

(*a*) Aliens from Japan and Korea are subject to the general immigration laws.

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Japanese and Korean laborers:

(*b*) Every Japanese or Korean laborer, skilled or unskilled, applying for admission at a seaport or at a land-border port of the United States and having in his possession a passport issued by the Government of Japan, entitling him to proceed only to Mexico, Canada, or Hawaii, shall be refused admission.

Limited passports held by;

Presumptions concerning;

(*c*) If a Japanese or Korean laborer applies for admission and presents no passport, it shall be presumed (1) that he did not possess when he departed from Japan or Korea a passport entitling him to come to the United States, and (2) that he did possess at that time a passport limited to Mexico, Canada, or Hawaii.

Passports to U. S. or unlimited;

(*d*) If a Japanese or Korean alien applies for admission and presents a passport entitling him to enter the United States or one which is not limited to Mexico, Canada, or Hawaii, he shall be admitted, if it appears that he does not belong to any of the classes of aliens excluded by the general immigration laws.

Evidence as to status of;

(*e*) If a Japanese or Korean alien applies for admission and presents a passport limited to Mexico, Canada, or Hawaii, and claims that he is not a laborer, either skilled or unskilled, reasonable proof of this claim shall be required in order to permit him to enter the United States.

Appeal by;

(*f*) When a Japanese or Korean alien is rejected as being a skilled or unskilled laborer holding a passport limited to Mexico, Canada, or Hawaii, he shall be allowed the right of appeal to the Secretary of Commerce and Labor under the same conditions as attach to aliens rejected under the general immigration laws.

Arrest of;

(*g*) If a Japanese or Korean skilled or unskilled laborer is found in the continental territory of the United States without having been duly admitted upon inspection, the procedure employed under the general immigration laws for the arrest and hearing of aliens who have entered the United States surreptitiously shall be observed, to the end that the right of such alien to be and remain in the United States may be determined; and if it shall appear that such alien falls within the class excluded by the foregoing Executive order, and has entered the United States since the 14th of March, 1907, the said alien shall be deported according to the provisions of sections 20, 21, and 35 of the act of Congress approved February 20, 1907.

Deportation of;

Right of, to communicate with diplomatic officers;

(*h*) In case any Japanese or Korean is detained or denied admission by virtue of the foregoing Executive order, he shall, in addition to being informed of his right of appeal to the Secretary of Commerce and Labor, be advised that he may communicate by telegraph or otherwise with any diplomatic or consular officer of his Government, and shall be afforded opportunities for so doing.

Courtesy and consideration due to;

(*i*) The officials of the Department charged with the enforcement of the immigration laws are instructed that in the execution of this rule scrupulous care shall be

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Japanese and Korean laborers:

taken to see that the courtesy and consideration which the Department requires in the case of all foreigners, of whatever nationality, are shown to those affected by this rule. All officers of this Department are hereby warned that no discrimination will be tolerated, and that those coming under this rule must be shown every courtesy and consideration to which the citizens of most favored nations are entitled when they come to the United States.

Definition of term "laborer, skilled and unskilled;"

(*j*) For practical, administrative purposes, the term "laborer, skilled and unskilled," within the meaning of the Executive order of Mach 14, 1907, shall be taken to refer primarily to persons whose work is essentially physical, or, at least, manual, as farm laborers, street laborers, factory hands, contractors' men, stable men, freight handlers, stevedores, miners, and the like; and to persons whose work is less physical, but still manual, and who may be highly skilled, as carpenters, stone masons, tile setters, painters, blacksmiths, mechanics, tailors, printers, and the like; but shall not be taken to refer to persons whose work is neither distinctively manual nor mechanical, but rather professional, artistic, mercantile, or clerical, as pharmacists, draftsmen, photographers, designers, salesmen, bookkeepers, stenographers, copyists, and the like. The foregoing definition is subject to change, and will not preclude the Secretary of Commerce and Labor from deciding each individual case which comes to him by way of appeal in accordance with the particular facts and circumstances thereof.

Indorsement of passports.

(*k*) Passports presented by Japanese and Koreans shall be plainly indorsed, in indelible ink, by the officer admitting or rejecting the applicant, in such a manner as to show the fact and date of admission or rejection, the name of the officer being signed to such indorsement; after which the passport shall be returned to the person by whom presented.

Seamen:

Why examination of necessary;

RULE 22. In consideration of the necessities of commerce and navigation, it has been held that foreign seamen arriving at the ports of the United States, and landing therein in the pursuit of their calling, are not ordinarily within the operation of the immigration act (23 Op. Atty. Gen., 521; 207 U. S., 120). But in order that this exemption shall not avail to permit the introduction into the United States of aliens excluded therefrom by the said act, it is necessary to observe the following distinctions between foreigners who are seamen and other aliens:

Who are seamen;

A seaman is any person employed to serve in any capacity on board any vessel plying between foreign ports and ports of the United States, whose occupation consists in following the sea, and who lands in the United States with no intention of remaining, and not otherwise than on shore leave, or on the business of his vessel, or for the purpose of reshipping.

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Seamen:

In coastwise trade;

Aliens, members of the crew of vessels engaged in the coastwise trade of the United States, are aliens within the meaning of the immigration act and subject to its provisions (Ops. Solr., June 14, 1907, and Sept. 16, 1907).

Discharged;

Aliens, though members of the crew of vessels engaged in the foreign trade, if their employment terminates at the end of the voyage to the United States, or if discharged in a port of the United States, are to be treated as seamen only if it appears that they intend to reship on a vessel bound to a foreign port, or to depart from the country within a reasonable time.

Deserting;

Aliens, though members of the crew of vessels engaged in the foreign trade, if they desert their ship, shall, until the contrary is shown, be deemed to have abandoned their calling, and to be no longer seamen, within the meaning of this rule.

Found in United States otherwise engaged;

Aliens, though landing in the United States as seamen, if found thereafter engaged in any occupation not connected with the business of a vessel to which they are attached, or if found to be public charges, shall be treated as other aliens are treated, and shall be liable to deportation in like manner and for like causes.

Application of act to;

In the application of the immigration act to aliens, members of the crew of vessels engaged in the foreign trade of the United States, the following instructions will be observed:

General procedure regarding—

(*a*) Aliens coming to the United States as members of the crew of any vessel, who are found to be seamen as herein defined, shall not be examined by officers of the Immigration Service further than may be necessary to determine their status as seamen, and to ascertain that they are not insane, idiots, imbeciles, epileptics, or persons afflicted with tuberculosis or with a loathsome or dangerous contagious disease; head tax shall not be certified on their account; they shall not be prevented from landing temporarily in the United States, nor required to land at any designated time or place; neither shall any manifest of them be required, nor shall they necessarily be returned to the country whence they came by the vessels bringing them. Alien seamen, however, who are insane, idiots, imbeciles, epileptics, or persons afflicted with tuberculosis or with a loathsome or dangerous contagious disease, and the existence of whose disease or disability might have been detected by means of a competent medical eaxmination at the time of foreign embarkation, are persons whose employment on board vessels is in nowise necessary to commerce and navigation, and who are, accordingly, not within the exception in favor of seamen, because not within the reason thereof. The bringing of such seamen to the United States, therefore, is unlawful by the terms of section 8.

To what extent examined;

If mentally or physically afflicted, not considered *bona fide;*

All seamen to be primarily inspected;

(*b*) All aliens coming to the United States as members of the crew of a vessel, who, for any of the reasons hereinbefore mentioned, are found not to be seamen as herein

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Seamen:

defined, shall in no respect be distinguished, by reason of their present employment, from other aliens seeking admission into the United States; but it shall be the duty of the inspectors and medical officers detailed for the purpose to determine whether such aliens are clearly and beyond doubt entitled to land, and to hold for examination by a board of special inquiry such as are not so entitled, and to follow the same procedure as in the case of alien passengers seeking to land, including the certification of head tax on account of those landed.

If not *bona fide*, must not be landed;

(*c*) In case any alien employee of a vessel is found by the immigration officials not to be a *bona fide* seaman seeking to land in the pursuit of his calling, and is declared by such officials inadmissible under the immigration act, the master, owner, agent, or consignee of such vessel will be required, subject to the penalties imposed by said act, to prevent the landing of such inadmissible alien and to return him to the country whence he came.

Head tax not assessable on if *bona fide*;

(*d*) Head tax shall not be assessed on account of *bona fide* seamen who seek to land only in the pursuit of their calling. But on account of those who desert and remain in the United States, not being apprehended and returned to their vessels, and on account of such as are discharged with the intent to remain in the United States, the head tax shall be assessed. In determining whether head tax is assessable, it will not in any case be assumed that a deserting alien seaman has deserted with the intention to reship, but some reasonably convincing evidence of such an intent shall be required. Head tax assessed on account of discharged or deserted alien seamen shall be held on special deposit subject to refundment on submission of proof of departure, for a period not exceeding three months, and at the expiration of such period shall be covered into the Treasury.

Head tax on to be deposited temporarily;

Manifests of not *bona fide*;

(*e*) Of such aliens employed on board vessels as are found by the immigration officials not to be *bona fide* seamen, or not to be seeking to land in the regular course of their pursuit with intent to continue their calling, the immigration officials shall prepare lists, in lieu of manifests, for use in compiling statistics, indicating in such lists that the alien applicants therein enumerated arrived at the port as employees of a vessel.

Procedure if ill and law of vessel's country requires return home;

(*f*) If, upon the arrival of a vessel from a foreign port, it is discovered that any alien member of the crew of such vessel is ill or disabled to such an extent as to make it obligatory upon the master of the vessel, under the navigation laws of the country to which the vessel belongs, to return the seaman to the country where he embarked, immigration officials shall confer with the master and with the consular representative of the country to which the vessel belongs, with the object of perfecting plans by which the master may be able to observe the laws of his own country without making possible or encouraging a violation of the immigration laws of the

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United States. If the disabled seaman relinquishes his calling, he shall be treated like any other alien seeking admission to the United States; and if, upon being brought before a board of special inquiry, his rejection is ordered the master of the vessel shall be required to return him by such vessel, or at his own expense, to the country where he embarked. If the seaman does not relinquish his calling, or if the master desires to return him otherwise than by the vessel on which he arrived, it will be permissible for him to pass through the United States, in transit to the country where he embarked, by the most expeditious and direct route: *Provided*, That (if he is suffering with a loathsome or dangerous contagious disease, or with tuberculosis, or is in such physical or mental condition as to render him a person likely to become a public charge or otherwise inadmissible) arrangements are made for his proper care while passing through the country, and a sum of money sufficient to defray the expenses thereof is furnished by the master of the vessel. This being a provision made in the interest of trade, and because of the peculiar position occupied by seamen under principles of international comity, immigration officials shall exercise care to insure a thorough understanding with all parties concerned, that violations of the immigration laws may be provided against, and that the spirit of foreign laws may be observed.

Seamen:
Care to be exercised concerning, when ill and allowed transit;

(*g*) With a view to the more efficient enforcement of the immigration law with respect to foreign crews, and for the greater convenience both of officers of the Immigration Service and of the commercial interests involved, the following special procedure will be observed in cases where the master, agent, owner, or consignee of any vessel engaged in the foreign trade of the United States shall give satisfactory assurances of ability and willingness to comply with the conditions thereof:

Special procedure concerning, to be followed in lieu of general procedure if agreed to by vessel—

1. The master, owner, agent, or consignee of any such vessel shall enforce at its foreign ports of departure and call a rigid medical examination of aliens seeking employment on such vessel which will insure the rejection of any and all applicants suffering with any mental or physical affliction which would make them inadmissible to the United States under section 2, or would render the vessel liable to the fine mentioned in section 9 of the immigration act. Any failure on the part of any vessel to enforce such a medical examination in the case of any member of the crew, coming to the knowledge of an officer of the Immigration Service, shall be promptly reported to the Department for appropriate action.

Mental and physical examination of, at foreign ports;

2. In any case in which an alien seaman is not employed or articled for the return trip voyage to and away from the United States, and in any case in which it becomes necessary for any reason to discharge an alien member of a crew, the master, owner, agent, or consignee of the vessel shall notify the commissioner of immigration or the im-

Report of prospective discharge of, in United States ports;

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Seamen:

migrant inspector in charge at the port of such necessity in due season to permit the inspection and examination of such alien under the provisions of the immigration act.

Regulation of shore leave, and reporting suspicious cases of;

3. Masters, owners, agents, and consignees of such vessels shall enforce in the ports of the United States regulations on the subject of shore leave which will prevent as far as possible the permanent landing of alien members of the crew before inspection by the immigration authorities. They shall, also, furnish the immigration authorities with the names of aliens employed on their vessels of the *bona fides* of whose intention to follow the sea they have any reason to doubt, and shall afford opportunity for the inspection of such aliens; and, except by express permission of the Immigration Service, they shall under no condition grant shore leave or permit the landing of alien seamen who are insane, idiots, imbeciles, epileptics, or persons afflicted with tuberculosis or with a loathsome or dangerous contagious disease.

Reporting desertions of, and apprehending deserters;

4. When desertions occur, the master, agent, owner, or consignee of the vessel shall promptly notify the local immigration authorities of the name and description of the deserter, and any other information obtainable which would aid in the apprehension of such deserter, to the end that he may be returned to the vessel for conveyance to the foreign port of shipment.

Presumptions in favor of vessels under special procedure.

Where the foregoing conditions have been faithfully complied with, and satisfactory evidence thereof has been presented, of the sufficiency of which the Secretary of Commerce and Labor shall be the sole judge, the master, agent, owner, or consignee will be deemed to have provided a "competent medical examination" of the vessel's crew at the time of foreign embarkation within the meaning of section 9, and will be deemed to have taken reasonable precautions to prevent the landing of alien members of the crew within the meaning of section 18; and the special procedure prescribed in the several articles of this paragraph (*g*) will be followed.

Stowaways:

RULE 23. *Alien stowaways.*—The immigration act contains no provision relating in terms to stowaways, and the sections thereof prescribing inspection of applicants for admission do not, as a general rule, cover their cases.

Reasons for not examining under law;

There are two good and sufficient reasons for refusing to examine stowaways: (1) By stealing passage they not only evade on their own account, but make it impossible for vessel officials to observe the mandatory terms of sections 9 and 12 to 15, requiring medical inspection and detailed manifesting *at the foreign port of embarkation*, so that they occupy the status of persons who have failed to comply with plain provisions of law, an observance of which is necessary to a proper inauguration of their inspection under section 16; and (2) even aside from the fact that stowaways thus come before the immigration officials as violators of the law, they are persons obviously falling within the excluded classes named in section 2 in

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Stowaways:

every instance, at least to the extent that they are persons who are "assisted by others to come," and with respect to whom it would be practically impossible to show "affirmatively and satisfactorily" that they do not belong to the excluded classes.

Not to be examined, *as general rule;*

Therefore, alien stowaways shall not, as a rule, be examined or permitted to land at ports of the United States, nor shall head tax be certified on their account. The masters of vessels immediately upon arrival shall report to the immigration officer in charge the names of any alien stowaways on board, and shall take every precaution to prevent their landing, subject to the penalty prescribed by section 18, holding them on board the vessel until it departs from the United States.

Vessels to report concerning;

Exceptional cases of, to be brought to attention of Department.

While these regulations cover all ordinary cases of stowaways and will in practice be found to be of almost universal application, yet cases may rarely arise in which the alien, though a stowaway, may nevertheless be entitled to inspection and to admission if found to belong to none of the excluded classes. For example, the alien, though originally a stowaway, may have been, because of the particular facts of his case, accepted by the vessel as a passenger and manifested in such a way as to substantially comply with the law, or may have been employed as a member of the crew, or the causes which led the alien to stowaway may have been such as to bring his case within the first proviso to section 2 of the immigration act, and entitle him to special consideration. Exceptional cases of this character should be promptly brought to the attention of the Department, with a full statement of facts and a request for instructions.

Ports of entry, Canada: List of.

RULE 24. *Ports of entry, Canada.*—In accordance with section 36, the following are named as Canadian border ports of entry for aliens; and any alien who enters the United States across such border at any other point shall be deemed to have entered the country unlawfully, and shall be arrested and deported under sections 20, 21, and 35 of said act, in the manner provided by Rule 34 hereof: Eastport, Calais, Vanceboro, Houlton, and Lowelltown, Me.; Beechers Falls, N. H.; Island Pond, Newport, Richford, St. Albans, Swanton, and Alburg, Vt.; Rouses Point, Malone, Fort Covington, Nyando, Ogdensburg, Morristown, Clayton, Cape Vincent, Charlotte, Lewiston, Niagara Falls, and Buffalo, N. Y.; Detroit, St. Clair, Port Huron, and Sault Ste. Marie, Mich; Duluth, Beaudette, and Noyes, Minn.; Pembina, Neche, Portal, and St. John, N. Dak.; Sweet Grass and Gateway, Mont.; Porthill and Eastport, Idaho; Marcus, Oroville, Sumas, and Blaine, Wash.

Canadian agreement: Admission under;

RULE 25. *Admission and exclusion, Canadian ports.*—In view of the agreement between the various steamship and railroad companies in the Dominion of Canada and the Commissioner-General of Immigration of the United States of America, inspection and entry of aliens into the

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Canadian agreement: United States from foreign countries, through Canadian territory, under the Immigration Act, will be accomplished in accordance with the following provisions:

Seaports of inspection; (*a*) All aliens arriving in Canada, destined to the United States, shall be inspected at any one of the following ports: Halifax, Nova Scotia; Quebec and Point Levi, Quebec; St. John, New Brunswick; and Vancouver and Victoria, British Columbia; and the holders of certificates, duly signed by the United States commissioner of immigration for Canada, shall be entitled to admittance to the United States, at any one of the places of entry along the border thereof named in Rule 24, without further examination by the United States immigration officers as to their right to enter, upon their identification and their surrender of said certificates to such officials.

Certificates of admission;

(*b*) The said certificates shall be in the following form:

Alien certificate. No. ____

Form of;

FORM 524. DEPARTMENT OF COMMERCE AND LABOR,
IMMIGRATION SERVICE,

_____, ____.

This is to certify that _____, a native of _____, who arrived at the port of _____, per steamship "_____," on the _____ 190__, has been duly inspected and registered, and will be admitted into the United States upon proper identification and surrender of this certificate to any immigration officer at the frontier.

The description of the holder is as follows: Age, _____; height, _____; weight, _____; color of hair, _____; color of eyes, _____.

Remarks: [Note destination, etc.]_____

_____,
U. S. Commissioner of Immigration.

Surrendered at _____, to Inspector _____
_____, 190__.

Seaport examination by inspectors and boards; (*c*) The examination at Canadian ports of all aliens destined to the United States shall be similar in all respects to that conducted at ports of the United States. Such aliens as, in the opinion of the examining inspector, are not clearly entitled to admission shall be taken before a board of special inquiry, the decision of which shall be final, unless reversed upon appeal, as provided for in section 25.

Deportation of rejected aliens; (*d*) All aliens arriving at Canadian seaports, destined to the United States and who may be adjudged inadmissible thereto, shall be refused the certificates herein called for, and the steamship company bringing such aliens to such Canadian seaport shall be required to return them to the countries from which they respectively came.

Manifests of incoming passengers; (*e*) The masters, owners, or agents of vessels bringing aliens to Canadian ports, destined to the United States, shall be required to furnish to the United States immigrant inspectors in charge at such ports complete manifests

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and alphabetical books of all alien passengers arriving upon vessels of their respective lines, and, in addition thereto, complete manifests of all alien passengers destined to the United States such as are now required by law in the cases of vessels bringing aliens to the ports of the United States; and the said masters, owners, or agents shall pay to the United States commissioner of immigration for Canada the sum of four dollars for each and every alien brought to a Canadian port and destined to the United States: *Provided*, That no head tax shall be levied against or collected from Canadian steamship lines on aliens brought to Canada, destined to the United States, who are shown to belong to any one of the excluded classes and who are returned to the country whence they came. In addition to the foregoing, the Canadian steamship companies will furnish to the United States commissioner of immigration for Canada (for transmission to the Commissioner-General of Immigration) manifests of all passengers not citizens of the United States leaving the United States and proceeding by the vessels of such companies to foreign ports, as required in the cases of United States transportation companies by section 12.

Canadian agreement:

Payment of head tax;

Manifests of outgoing passengers;

(*f*) All aliens of the class upon whom head tax is chargeable not provided with certificates of the character described in paragraph (*a*) hereof who shall apply at the border between Canada and the United States within one year after arriving at a Canadian port shall be required to return to such port, or to any one of the ports designated in paragraphs (*a*) and (*f*) hereof, for guaranty of payment of head tax, examination, and the procurement of the certificate described in paragraph (*a*): *Provided*, That aliens destined in good faith to Canada, and who shall have settled at some point in the Dominion of Canada, who shall apply as above for admission to the United States within one year after arrival in Canada, shall be examined by the boards of special inquiry located at any one of the following points: Yarmouth, Nova Scotia; Montreal, Quebec; Newport, Vt.; Buffalo and Suspension Bridge, N. Y.; Detroit, Port Huron, and Sault Ste. Marie, Mich.; Duluth, Minn.; Winnipeg, Manitoba; Portal, N. Dak.; Sweet Grass, Mont.; and Sumas and Blaine, Wash. That the decisions of the said boards of special inquiry shall have the same force and effect as decisions rendered by boards of special inquiry at seaports of the United States. That the various steamship lines shall return at their own expense, from some seaport of the Dominion of Canada or of the United States, as they may deem most practicable and may elect, to the trans-Atlantic or trans-Pacific country whence the aliens came, those aliens coming within the provisions of this paragraph who are shown to belong to any of the excluded classes mentioned in section 2, whenever in the

Certificates of admission;

Extra boards;

Effect of board decision;

Deportation of aliens rejected by boards;

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Canadian agreement; judgment of the Secretary of Commerce and Labor the deportation of such aliens in the manner described is deemed necessary to safeguard the interests of the United States.

Facilities at seaports; (*g*) All facilities in the way of accommodations, access to aliens, and the keeping of aliens apart from the public until after inspection shall be afforded to the immigrant inspectors of the United States at the Canadian ports of landing to enable them to make such inspection as is required by the laws of the United States.

Certificates of admission; (*h*) It is expected that the railway and other transportation companies in the Dominion of Canada will not sell to any aliens en route to any part of the United States tickets for their transportation, or transport them in cars or vessels from the port of entry, until after they have exhibited their certificates as herein provided, and will not knowingly transport into the United States any rejected or undesirable aliens or those who are by law prohibited from entering said country, but will return the rejected aliens to the ports at which they arrived. All aliens on account of whom the transportation companies are exempted from payment of head tax, who proceed to the border between the United States and Canada without having first been examined and granted a certificate of admission of the character described in paragraph (*a*) hereof, and who may be excluded by a border board of special inquiry, shall be returned by the transportation company carrying said aliens to the border a reasonable distance in Canada from said border. Aliens of the class last above mentioned carried to a border point where there is no board of special inquiry shall be returned and conveyed for examination to the nearest point at which a board of special inquiry is located.

Prerequisite to transportation;

Returning aliens not holding certificates of admission;

Examination before boards;

Deportation of excluded and deportable classes; (*i*) The various steamship lines, parties to the Canadian agreement, shall return at their own expense, at any time within three years from the date of landing in Canada, from some Canadian port, or when that is not practicable from some port of the United States, such aliens as, having been brought into the Dominion of Canada upon their respective lines and having subsequently proceeded to the United States, are shown to belong to any one of the excluded or deportable classes mentioned in the act of Congress approved February 20, 1907, whenever deportation of such an alien is ordered by the Secretary of Commerce and Labor.

Application of regulations to aliens coming through Canada; (*j*) The immigration regulations adopted by the Department of Commerce and Labor relating to the examination of aliens at ports of the United States shall apply, in so far as may be practicable, to the inspection of aliens coming through the Dominion of Canada destined to the United States.

Guaranteeing payment of head tax; (*k*) All aliens of the taxable class seeking to enter the United States from Canada or Newfoundland shall be

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denied examination under the United States immigration laws (except to a sufficient extent to determine their liability for head tax) until they present to the examining officer or officers a certificate from a duly appointed agent of the transportation company bringing such aliens to the border, guaranteeing that responsibility for the payment of head tax on account of such aliens will be assumed by said transportation company, certificate guaranteeing payment of head tax being returnable to the applicant for admission in the event of his exclusion, such certificate before its return to the alien to have the word "Rejected" stamped or written in red ink across its face. Canadian agreement: Returning head-tax certificate;

(*l*) All moneys collected as provided in paragraph (*e*) hereof shall be transmitted by the United States commissioner of immigration for Canada to an assistant treasurer of the United States in the same manner as other miscellaneous collections are reported by collectors of customs of the United States, to be deposited to the credit of the Treasurer of the United States on account of the "immigrant fund." Statement of such receipts, under this agreement, must be rendered monthly to the Secretary of Commerce and Labor, on forms provided for that purpose. Disposition of head tax collected in Canada;

(*m*) Said United States commissioner of immigration for Canada shall give bond to the United States in the sum of ten thousand dollars, with sureties approved by the Secretary of Commerce and Labor, conditioned for the faithful discharge of his duties and the remittance of above collections. He shall make monthly reports to the Commissioner-General of Immigration, upon blanks to be furnished by the Department of Commerce and Labor, of all aliens arriving at stations under the jurisdiction of the said commissioner of immigration. Commissioner bonded;

(*n*) United States officers charged with the execution of the immigration laws and regulations along the Canadian border will, at the end of each month and from time to time as may be required, report in writing to the United States commissioner of immigration for Canada, upon blanks to be prescribed by him, the number of aliens passing through their respective ports of entry and the Canadian ports at which they landed, and the said commissioner of immigration for Canada will make to the Commissioner-General of Immigration similar reports in consolidated form, comprising both ocean and border ports. Reports from Canadian border.

RULE 26. *Ports of entry, Mexico.*—In accordance with section 36, the following are named as Mexican border ports of entry for aliens, and any alien who enters the United States across such border at any other point shall be deemed to have entered the country unlawfully, and shall be arrested and deported, under sections 20, 21, and 35 of said act, in the manner provided by Rule 34 hereof: Brownsville, Hidalgo, Rio Grande City, Laredo, Eagle Pass, Del Rio, Presidio, and El Paso, Tex.; Douglas, Ports of entry, Mexico: List of.

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Mexican border: Naco, Lochiel, Nogales, and Aros Ranch, Ariz.; and Campo, Calexico, and Tia Juana, Cal.

Inspection along; RULE 27. *Admission and exclusion, Mexico.*—Aliens applying for admission at the Mexican border ports of entry named in Rule 26 are subject to examination in the same manner and to the same extent as though arriving at seaports, except in the following particulars:

Blanks to be used in collecting statistics and head tax; (*a*) In the cases of aliens who are brought to said ports by a transportation or bridge company statistical data shall be gathered and information as to the manner in which head tax, if taxable, is to be assessed indicated by the use of a blank form reading as follows:

Report of inspection—Mexican border.

FORM 548. DEPARTMENT OF COMMERCE AND LABOR,
IMMIGRATION SERVICE,
PORT OF _____,
(*Date*)_____, *190*__

Name of passenger, _____; Age, _____; Sex, _____; Married or single, _____; Calling or occupation, _____; Read or write, _____; Nationality, _____; Race, _____; Last residence, _____; Final destination, _____; Ticket to destination, _____; Who paid passage? _____; Money, _____; Going to relative or friend; if so, whom? _____; Ever in U. S.? _____; if so, where and when? _____; Ever in prison, etc.? _____; Polygamist, _____; Anarchist, _____; Contract laborer, _____; Health, etc., _____; Whether in transit; and if so, how? _____; Admitted on primary inspection, _____; Held for board of special inquiry, _____; Whether taxable; and if so, transportation or bridge company or individual responsible for payment of head tax, _____

(*Signature*)_____
(*Title*)_____

Use of above blank; (*b*) The above blank shall be used by every officer of the immigration service making examinations of aliens brought to Mexican border ports by transportation or bridge companies, and shall be filled out completely in each case and delivered to the inspector in charge at the port of entry, who will thereupon compile from such forms a detailed notice to the collector of customs, upon blanks which will be provided, reading as follows:

Blanks for reporting aliens subject to head tax;

Statement of aliens subject to head tax—Mexican border.

FORM 549. DEPARTMENT OF COMMERCE AND LABOR,
IMMIGRATION SERVICE,
OFFICE OF _____,
PORT OF _____,
(*Date*)_____, *190*__

COLLECTOR OF CUSTOMS,
Port (or district) of _____

I hereby certify that head tax has been incurred by _____ (transportation or bridge company or individual) _____ on account of alien passenger__ arriving by [a] _____ on this date, and duly admitted, as follows:

Aliens subject to head tax, at $4 each, as follows:

_____ $_____
_____ _____

[a] Give train number or state mode of transportation.

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Mexican border:

Amount to be deposited on account of alien__ in transit (Rule 41) and held as special deposit (Treasury decision 24439), as follows:

---------- $----------
---------- ----------

Total---------- $----------

(*Signature*)----------
(*Title*)----------

Examination concerning funds in alien's possession.

(*c*) In the cases of taxable aliens who cross the border by other than regular (bridge or railway) transportation as a preliminary to regular examination under the laws, such alien shall be questioned only sufficiently to determine with precision whether, in the event that full examination should show him to be admissible, he is in financial condition to pay the four dollars head tax. If found to be in possession of sufficient funds in this respect, the examination may be completed, and if the alien is found eligible he shall be required to pay the head tax before being permitted to land; the blanks above given to be used for the purpose of certifying the head tax to the collector of customs.

Fines:

On account diseased aliens—

Manner of imposing;

RULE 28. *Fine, bringing of diseased aliens.*—As a means of enforcing the collection of any fine imposed under the provisions of section 9 of the Immigration Act, the said section directs the refusal of clearance papers to any vessel bringing an alien diseased as described therein to a port of the United States. To avoid, on the one hand, the denial of reasonable time to the master, agent, owner, or consignee to show cause why such fine should not be imposed and, on the other hand, the loss of the summary and effective means provided for the collection of such fines, the following instructions will be observed:

Medical certificates;

(*a*) The certificate of the medical examiner in the case of an alien afflicted with a loathsome or dangerous contagious disease shall state in terms whether, in his judgment, the "existence of such disease might have been detected by means of a competent medical examination at the port of foreign embarkation."

Notification;

(*b*) Upon the receipt of a medical certificate in compliance with the preceding paragraph hereof, the commissioner of immigration or inspector in charge at the port of arrival shall *at once* serve notice upon the master, agent, owner, or consignee of the vessel upon which such alien arrived in the following form, printed blanks for that purpose to be procured from the Department, viz:

Form of notice;

Notice of liability for fine on account of bringing diseased alien to the United States.

FORM 507. DEPARTMENT OF COMMERCE AND LABOR,
IMMIGRATION SERVICE,
[Prepare in triplicate.] OFFICE OF----------,
PORT OF----------,
----------, *190*__

To----------
---------- of the steamship ----------
[Master, agent, owner, or consignee.]

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Fines:

In conformity with the requirements of Rule 28 of the Immigration Regulations, you are hereby notified that the certificate of the examining surgeon, based upon a physical examination of the alien whose name is shown herein, indicates that a fine should be imposed under the provisions of section 9 of the Immigration Act approved February 20, 1907.

If you desire a hearing as to whether a fine should be imposed in this instance, you will be allowed sixty days from the date of this notice for that purpose, and the vessel on which the said alien arrived will be granted clearance papers when she is ready to sail and allowed to proceed upon her outward-bound voyage, upon condition that you deposit with the collector of customs at this port, prior to her sailing, the sum of one hundred dollars as security for the payment of the said fine, should it be imposed.

Name or alien.	Steamship.	Disease.
----------	----------	----------

[Name.]

[Official title.]

Received the above notice _____, 190__, at _____M.
[Time.]

(Witness:)

Disposition of notice;

(*c*) The notification shall be prepared in triplicate, the original to be delivered by an employee of the Immigration Service at the office of the master, agent, owner, or consignee to whom it is addressed, said employee to witness the signature of the recipient. Receipt of service shall be indorsed upon the duplicate and triplicate, the duplicate to be returned to the office of the commissioner of immigration or inspector in charge and preserved as proof of delivery, and the triplicate to be delivered to the collector of customs, who will withhold clearance papers until the deposit is made.

Deposit;

(*d*) The special deposit of one hundred dollars required to stay action for the period of sixty days shall be made to the collector of customs for the district wherein the port of arrival is located before such sailing, and in default thereof all further proceedings shall be discontinued and the facts certified to the Bureau of Immigration and Naturalization by first mail, together with the medical certificate and duplicate notice, in order that such action may be taken as the evidence requires.

Stay of action;

(*e*) If, after service of the notice as provided in paragraph (*b*) of this circular, the deposit of one hundred dollars has been made in conformity with the said notice, the commissioner of immigration or inspector in charge shall suspend further proceedings until the submission of the evidence offered to show why the said fine should not be imposed, or until the lapse of the specified period of sixty days thereafter. When the said evidence has been submitted it shall be forwarded, together with the certificate of the examining surgeon and duplicate notice, to the Commissioner-General of Immigration, for presentation to the Secretary of Commerce and Labor, by the

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said commissioner or inspector in charge, who shall at the same time present his written views as to whether the said fine should be imposed. If no evidence is submitted prior to the expiration of the said sixty days, then said commissioner or inspector in charge shall report the case, without such evidence, for action by the Secretary of Commerce and Labor. Fines:

(*f*) Upon receipt of the decision of the Secretary of Commerce and Labor, a copy thereof shall be forwarded to the collector of customs, together with such data as may enable him to identify the special deposit made in that particular case. If the said decision imposes the fine, the one hundred dollars deposited as security shall be accounted for by the said collector in the usual manner as a fine; if the decision holds that the penalty has not been incurred, the collector of customs shall return to the depositor the amount deposited as security. Final proceedings.

RULE 29. *Fine, failure to deliver manifests.*—If the master or commanding officer of any vessel bringing aliens to a United States port fails to deliver to the immigration officers at such port lists or manifests, as required by sections 12, 13, and 14, and it therefore becomes necessary to collect the fine imposed by section 15, the following instructions shall be observed: Fines—*For nonmanifesting*—

(*a*) Written notice, clearly setting forth the particulars in which the lists or manifests are deficient, shall be served upon the steamship company concerned, allowing such company the period of sixty days from date of notice within which to place before the Department, through the local immigration officials, such evidence, if any, as said company may possess to show cause why the statutory penalty should not be collected. Copies of such notices and the responses thereto shall be kept of record, and shall be forwarded to the Department in the event the collection of the penalty is protested; and in no protested case shall suit be instituted to enforce collection until the Department has rendered a decision directing that collection be made. Notice and procedure as to incoming passengers; Procedure for protesting collection;

(*b*) Similar notice shall be given by collectors of customs as a preliminary to collecting fines for failure to promptly furnish manifests of outward-bound alien passengers. (See Rule XXIX, statistical regulations.) Notice as to outgoing passengers;

(*c*) Under an opinion of the Attorney-General, the fine mentioned in this rule can not be remitted. (25 Op. At. Gen., 336.) Can not be remitted;

(*d*) In no case covered by this rule shall the aggregate amount of fines collected in any one instance of departure of a vessel exceed one hundred dollars. Aggregate not to exceed $100, in cases departure;

(*e*) The detailed statistical information required under section 12 of the Immigration Act and section 1 of the naturalization act of June 29, 1906, shall not hereafter be required to be furnished in the cases of diplomatic and Exemption on account diplomatic and consular officers;

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Fines:

consular officers, and other officials duly accredited by their governments, together with their suites, families, and guests, coming to the United States or in transit. The names of all such diplomatic and consular representatives and their suites, families, and guests, with their respective titles, should, however, appear grouped together upon the manifest.

Questioning aliens concerning items lacking in manifests.

(*f*) As an additional precaution, all aliens examined at ports of entry, concerning whom complete information is not furnished in the manifests, should be questioned as to whether demand was made upon them by the representatives of the steamship company at the port of foreign embarkation for the items of information that are lacking; and in case such answer is in the negative, the affidavit of the alien shall be taken and filed for future reference if required.

Certificate of surgeon, regarding aliens aboard vessel:

What acceptable.

(*g*) The certificate (unverified) of a responsible surgeon located at the point of embarkation or at the last port of call, prepared in the form appearing upon the reverse side of the manifest (Form 1500), shall be accepted as a sufficient compliance with section 14 requiring that when no surgeon sails with a vessel bringing aliens to the United States, the mental and physical examination of such aliens shall be made by "some competent surgeon employed by the owners of the said vessel."

Manifests:

Alphabetical indexes of.

(*h*) There will be furnished to the steamship company by the Bureau of Immigration and Naturalization blank books suitable for use in the preparation of alphabetical indexes of manifests.

Fines:

Method of reporting when U. S. attorney requested to prosecute.

RULE 30. *Fines, reporting of.*—The following method will be observed in reporting fines incurred under the immigration laws:

(*a*) Commissioners of immigration or inspectors in charge will, in all cases wherein a United States attorney is requested to institute proceedings for the recovery of prescribed penalties or to undertake criminal prosecution of an alleged offender against the immigration laws, make a report at the same time to the collector of customs for the district in which the offense was alleged to have been committed. Said report shall be rendered in every case which may arise, irrespective of the possible outcome of any legal proceedings, and shall embrace the following: (1) Date when offense was committed; (2) act, and section thereof, violated; (3) nature of offense; (4) name of offender; (5) nationality, kind, and name of vessel; (6) statutory amount of fine; (7) date of reporting case to United States attorney.

(*b*) Upon receipt of the above reports, the collector of customs will give each case a number in chronological order. When more than one section of a statute is violated by the same vessel, a separate case number will be given to each violation.

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Fines:

(*c*) At the close of each month, collectors of customs will render reports in the same manner as in the case of navigation and steamboat-inspection fines, viz: All fines incurred during the month must be reported on Form Cat. No. 1078, showing, under the heading "Remarks," the date when the case was reported to the United States attorney.

(*d*) All fines disposed of during the month must be reported on Form Cat. No. 1032. In connection with this form, the account current (Form Cat. No. 1030) must be used.

(*e*) At the close of June and December in each year, semiannual reports, on Form Cat. No. 1079, must be rendered, showing all unsettled cases on hand and explaining the cause of delay in disposing of them.

RULES RELATING TO DEPORTATION.

Deportation, aliens subject to:

RULE 31. *Deportation, aliens subject to.*—Aliens of the following classes are subject to arrest, upon the warrant of the Secretary of Commerce and Labor, and to deportation to the country whence they came, at any time within three years after landing or entry:

Members excluded classes;

(*a*) Aliens who, at the time of entry, belonged to any of the classes of persons enumerated and defined in section 2 of the Immigration Act or in the Executive order of March 14, 1907, and who should, therefore, have been then excluded. (Secs. 20, 21.)

Public charges;

(*b*) Aliens who become public charges from causes existing prior to landing. (Sec. 20.)

Prostitutes;

(*c*) Alien women or girls who are found to be inmates of a house of prostitution or practicing prostitution. (Sec. 3.)

Those entering surreptitiously.

(*d*) Aliens who are found to have entered the United States at any other place than at the seaports thereof or at one of the ports or places designated in Rules 24 and 26 hereof, and aliens found to have entered at a seaport, but at any time or place other than as designated by the immigration officers. (Secs. 18, 38.)

Public charges from prior causes:

RULE 32. *Public charges from prior causes.*—The case of every alien found to have become a public charge from causes existing prior to landing should be reported to the immigration officer stationed nearest the place where the alien is confined. This report *must be accompanied by*—

Reporting cases of;

Medical certificate of;

(1) An unequivocal certificate (Form 534) of the *principal medical officer* of the institution of which the alien is an inmate, setting forth:

Data for verifying landing of;

(*a*) That the alien is a public charge, and giving: Date of admission to the institution; date and port of foreign embarkation; ship and line by which arrived; date and port of American debarkation; correct name; name under which manifested; age; nationality; and citizenship.

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Public charges from prior causes:

Exact condition to be shown;

(*b*) An accurate statement in plain terms of the mental or physical disability of the alien, covering any and all complications which his condition may present; also his present condition with reference to the degree of helplessness to which reduced; the probability of a cure, or the degree to which health and ability to become self-supporting may be restored; and in insanity cases, whether recurrent attacks might be expected if recovery from present onset were effected.

Statement of causes required;

(*c*) A full and complete recital of the causes to which are attributed the alien's condition as a public charge.

Origin of causes.

(*d*) Whether such causes are considered to have existed prior to or to have arisen subsequent to landing; and if believed to have existed prior to landing, stating specifically the reasons upon which belief in prior cause is based, or, in other words, the features of the case which justify such a conclusion.

Copy of history required.

(2) A *complete copy* of the clinical or general history of the case as shown by the hospital records, and including the statements of relatives and friends.

Commitment papers;

(3) In the cases of insane patients, a copy of the commitment papers containing the grounds alleged by the examining physicians as the basis for commitment.

Further certificate required if possible;

(4) Before applying for a warrant in accordance with Rule 34, the immigration officer to whom the foregoing report is made shall, whenever practicable, cause the alien to be examined by an officer of the Public Health and Marine-Hospital Service, whose certificate should accompany the application for a warrant.

Public charges:

Medical certificate concerning.

RULE 33. *Public charges, medical certificate.*—In the event that the examining medical officer is able definitely to certify that an alien was, at the time of landing in the United States, afflicted with insanity, idiocy, imbecility, feeble-mindedness, epilepsy, tuberculosis, or a loathsome or dangerous contagious disease, such a certificate will be regarded as prima facie evidence of entry in violation of section 2 of the Immigration Act, and, in the absence of satisfactory evidence to the contrary, the alien will be deported in accordance with the provisions of sections 20 and 21.

Deportation:

Application for warrant of.

RULE 34. *Deportation, application for warrant.*—Every immigration officer receiving a report in conformity with Rule 32, accompanied by a medical certificate that complies with either Rule 32 or Rule 33, shall communicate with the officer in charge at the port of entry and, if landing is verified from the official records, shall make application for warrant in the manner provided by Rule 35. Such aliens will not be removed from the institutions in which they are confined until after due hearing and after an order of deportation is issued, or unless special instructions for removal are incorporated in the warrant.

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RULE 35. *Deportation, procedure.*—In enforcing sections 20 and 21 of the act approved February 20, 1907, the following instructions regarding applications for warrants of arrest and deportation will be observed: Deportation, procedure;

(*a*) All applications for warrants must be made, if possible, upon blank form No. 565, which will be furnished upon written request to the Commissioner-General of Immigration, Department of Commerce and Labor, and which must be filled out in accordance with the printed lines contained therein, and be accompanied by the certificate of landing or entry (Form No. 564) hereinafter prescribed, or if not so accompanied the reasons for the absence of such certificate must be given, and in that case all the facts called for in the blank form of said certificate shall be set forth in the application, so far as the facts are ascertainable. Application for arrest warrant;

(*b*) A full statement must be made in every such application of the facts, supported if practicable by affidavits, which show the presence in the United States of the alien whose arrest and deportation is sought to be in violation of law. Affidavits to accompany;

(*c*) The certificate of landing in or entry into the United States must contain a complete statement in detail of all the facts disclosed as to any such alien by the manifest or list containing his name, with an attached certificate by the officer in charge of such manifest that the information given agrees in all particulars with the record of such alien in said list or manifest. Verification of landing;

(*d*) Telegraphic application for warrants should be avoided so far as possible, but, if the circumstances of any particular case make it absolutely necessary to resort to request by wire, such request must state that the foregoing regulations have been complied with, and that the form of application and certificate hereinbefore mentioned have been forwarded to the Department, and must give the substance of the statement of facts contained in the said application and certificate. In order to obviate any possible legal difficulty in the service of the telegraphic warrant, the Department will confirm the telegram by sending in the next outgoing mail a formal written warrant. The statement of facts, contained in the telegraphic application, therefore, must be sufficiently complete and specific to form the basis of the formal warrant. Telegraphic application for arrest warrant.

(*e*) If, upon the receipt of any such application and certificate or of the request by wire provided for in paragraph (*d*), either completely in conformity with these regulations or accompanied by a satisfactory explanation of inability to comply therewith, it appears to the Secretary that the alien whose arrest and deportation is sought is in the United States unlawfully and that the time within which he can be deported has not expired, a warrant for his arrest will be issued directing that he be taken before an officer or officers named therein, and there be given full opportunity to show cause, if there be any, Issuance of arrest warrant;

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Deportation, procedure:

why he should not be deported, and as soon as arrested said alien shall be apprised of his right to be represented by counsel, and he and his counsel shall have the right to inspect all the evidence upon which the Secretary has acted in directing said alien's arrest, and be given an opportunity to offer evidence and submit an argument in his behalf, and be given an opportunity to inspect and make a copy of the report of the hearing and of the findings of the officers before whom it is held. In case said alien is unable to understand or to speak the English language, an interpreter shall, if possible, be secured for the hearing, authority for payment of a reasonable compensation to be obtained by special request therefor; and in the event that the alien is physically or mentally incapable of testifying, his relatives, friends, or acquaintances shall be questioned.

Hearing under arrest warrant;

Medical certificate;

(*f*) The record of the hearing accorded an alien who is insane or has become a public charge shall be supplemented by a *written* certificate of the medical officer in charge of the institution in which the alien is confined, showing whether such alien is in condition to be deported without danger to life.

Release under bond;

(*g*) Pending decision upon the case the arrested alien shall be released from custody, provided there is furnished, as required by the proviso to section 20, a satisfactory bond, running to the United States and conditioned for the production of the alien to the immigration officers for hearing or hearings and for deportation in the event of the issuance of a departmental warrant of deportation. The sureties on such bond shall be parties of ascertained responsibility; and in preparing the bond a blank form supplied by the Bureau of Immigration and Naturalization will be used. No alien so arrested shall be released, however, until the bond offered on his behalf has been approved by the Secretary.

Sureties on bond;

Issuance of deportation warrant;

(*h*) If, after the receipt of the report of such hearing, it shall appear to the satisfaction of the Secretary, from all the evidence, that such alien is in the United States in violation of law and that the time within which he can be deported has not expired, a warrant will be issued for his deportation.

Care to be exercised in conducting investigation;

(*i*) Officers are directed to make thorough investigation of all cases where they are credibly informed, or have reason to believe, that a specified alien is in the United States in violation of law. It is not permissible for officers to resort to any form of intimidation, by threats, violence, or otherwise, in order to extort from any suspected alien or from any other person the information to be embodied in the application for the warrant of arrest. Officers are specially cautioned not to lend their aid in causing the arrest of aliens upon charges arising out of personal spite or enmity, unless the truth of such charges is clearly established.

Notice to steamship company;

(*j*) In every case in which a warrant of deportation is issued under sections 20 and 21, the immigration official

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in charge at the port from which deportation is to be made shall notify the steamship line, on a vessel of which the alien is to be placed, of the intended deportation as promptly as possible after receipt of the departmental warrant and of advices from the officer under whose supervision the arrest and hearing in the case have been effected. And in all such cases care shall be exercised by all immigration officials concerned to furnish the steamship officials with full and exact information concerning the name, destination, condition of health, etc., of the alien to be deported.

Deportation, procedure:

(*k*) If the conditions are such that an attendant (or matron) will be required to assist in conveying an alien from an inland point to the seaport of deportation, special request for authorization therefor should accompany the record of hearing under a warrant of arrest. Such attendants will be allowed a nominal compensation of *one dollar* and traveling expenses both ways. This rate must not be exceeded in any instance without special authorization, based upon extraordinary conditions, to be fully set forth for the guidance of the Department.

Attendant to seaport.

RULE 36. *Deportation, cost of maintenance.*—The cost of maintaining aliens during the pendency of warrant proceedings under the preceding rule is a proper charge against the appropriation "Expenses of regulating immigration;" but in the cases of aliens who have become public charges from causes existing prior to landing in the United States, such cost shall not be allowed for any period preceding the date of original notification to an officer of the Immigration Service, and even then only in the event that the Department, upon investigation, orders the deportation of the alien. If proceedings against a procurer or contractor are instituted in accordance with section 3, 5, or 20 of the Immigration Act, immigration officers should report to the United States district attorney the amount of the cost of deporting the alien, including one-half of the entire cost of removal to the port of deportation, so that a proper effort may be made to recover such expense from the procurer or importer and the reimbursement of the Government and the transportation company for their respective parts thereof.

Arrest and deportation:

Expense of maintenance during proceedings, how borne;

Method of obtaining reimbursement when importers are prosecuted.

RULE 37.[a] *Deportation, procedure in cases of insane or diseased aliens requiring special care and attention.*—(*a*) When deportation is to be effected, under sections 20 and 21, and the alien is disabled or mentally or physically diseased, the immigration officer charged with the investigation of the case shall obtain from the physician (if practicable a surgeon of the Public Health and Marine-Hospital Service) having personal knowledge of the condition of the alien's health a statement showing such condition in terms that will enable the Department to

Deportation:

Procedure in cases of insane or diseased aliens;

Aliens requiring special care and attention—

[a] For special regulations regarding arrest and deportation of prostitutes and procurers, and anarchists and criminals, see Department Circulars Nos. 156 and 163, respectively.

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Deportation: determine whether the alien, if deported, will require special care and attention, which statement shall accompany the report of the hearing of the case forwarded to the Department.

Procedure in cases of— (*b*) If, upon considering the report of the hearing, the Department decides that the alien is deportable and issues a warrant of deportation, the physician's statement described in paragraph (*a*) hereof, taken in conjunction with such further evidence of physical or mental condition as is brought out by the hearing, will be made the basis for determining whether direction shall be given

Returns by vessels concerning; that the steamship line by which deportation is to be effected shall be called upon to submit to the Department returns covering the ocean voyage and delivery of the alien to the transoceanic port, and foreign land trip and delivery of alien at final destination, in accordance with paragraph (*c*) hereof.

Delivery of forms of returns; (*c*) If the Department indicates in issuing its warrant of deportation that, in its opinion, the mental or physical condition of the alien is such as to require particular care and attention during the ocean voyage and foreign land trip, the commissioner or inspector in charge shall, when delivering the alien to the master or first or second officer of the steamship by which the return of the alien is to be made, place in the hands of such officer a statement of particulars (Form No. 597) and blank receipt and blank returns attached thereto (lettered, respectively, "A," "B," "C," and "D"), the receipt ("B") to be immediately signed by such steamship officer and returned to the officer delivering the alien, and the blank returns ("C" and "D") to be filled out in due course by appropriate officials of the steamship line and mailed to the commissioner or inspector in charge at the port of deportation, in accordance with instructions given in the statement of particulars.

Preparation of returns; (*d*) In preparing the statement of particulars, care will be exercised to furnish exact and full information of the character indicated by the language and blank spaces of the form. The number of the departmental warrant in cases of *deportation*, and the file number of the correspondence in cases of *return*, shall be inserted by the immigration employee charged with the duty of filling out the blanks in the appropriate space at the top of each sheet ("A," "B," "C," and "D") of the blank. Sheets "A" and "B" will be completely filled out (except signature) by such immigration employee; and sheets "C" and "D" will be left blank, except for the careful insertion of the number, it being intended that the steamship officials shall fill out such sheets. Both the original and the carbon copy of sheets "B," "C," and "D" will be delivered to the master or first or second officer of the vessel in whose charge the alien is placed; but of Sheet "A" only the original will be so delivered, the carbon copy being retained in the records of the immigration station.

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(*e*) The commissioner of immigration or inspector in charge by whom the statements of particulars are delivered to steamship masters shall see that in due course the returns, properly and completely filled out, are mailed to him. Any failure on the part of steamship companies so to do, as well as any circumstance, or anything contained in the returns, indicating failure upon the part of the officials of a vessel to accord proper care and attention to a deported alien and to deliver him into proper custody at his final destination, shall be reported to the Department fully and in detail.

Deportation: Mailing of returns;

RULE 38. *Deportation, where to.*—The deportation of aliens as prescribed in Rules 30 to 36 hereof shall be to the foreign trans-Atlantic or trans-Pacific port from which such aliens embarked for the United States; or, if such embarkation was for foreign contiguous territory, to the foreign port at which they embarked for such contiguous territory. (Sec. 35.)

To be to transoceanic port;

RULE 39. *Deportation by consent.*—Any alien who has been lawfully landed, but who has become a public charge from subsequently arising physical inability to earn a living, may, by consent of the alien and with the approval of the Bureau of Immigration and Naturalization, be deported within one year from date of landing at the expense of the immigrant fund: *Provided*, That such alien is delivered to the immigration officers at a designated port free of charge; and the charges incurred for the care and treatment of any such alien in any public or charitable institution from the date of notification to an officer of the Bureau until the expiration of one year after landing may be paid from the immigrant fund at fixed rates agreed upon.

Of public charges from subsequently arising causes;

Expense, how borne.

RULES RELATING TO TRANSIT.

RULE 40. *Aliens in transit.*—Every alien seeking a landing for the purpose of proceeding directly through the United States to a foreign country shall be examined, and, if found to be a member of any one of the excluded classes, shall be refused permission to land, in the same manner as though he intended to remain in the United States. Cases where a refusal of the privilege would entail exceptional hardship may be reported to the Secretary for a special ruling.

Transits: To be examined;

Cases exceptional hardship to be reported.

RULE 41. *Aliens in transit, head tax for.*—(*a*) No alien desiring admission at a port of the United States for the professed purpose of proceeding directly therefrom to foreign territory shall be permitted to land thereat except after deposit with the collector of customs at said port, by the master or owner of the vessel or by a representative of any other mode of transportation by which such alien is brought, of the amount of the head tax (four dollars) prescribed by section

Head tax must be deposited on account of;

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Transits:

Head tax to be refunded on proof of departure;

1 of the Immigration Act, said amount to be refunded upon proof satisfactory to the immigration officer in charge at the port of arrival that said alien has passed by direct and continuous journey through and out of the United States within thirty days from the date of admission, proof of such departure to be furnished within sixty days from the date of admission. Special deposits of head tax on account of aliens in transit will, at the expiration of sixty days from the date of admission, be covered into the Treasury as head tax, the cases in which proof of departure is received after the expiration of such period to be reported to the Bureau of Immigration and Naturalization for special authorization, under the provision incorporated in the legislative, executive, and judicial appropriation act approved February 3, 1905.

To be covered into Treasury at expiration of 60 days;

How then refundable;

Special system of collecting and refunding head tax on transits from Canadian territory;

(*b*) All aliens of the taxable class desiring to proceed in transit through the United States from the Dominion of Canada shall be required to furnish to the examining officer or officers guaranty of payment of head tax described in paragraph (k) of Rule 25 of these regulations. If admissible, aliens claiming to be in transit will be given certificate Form 523, providing for refund of head tax upon such certificate being properly indorsed by the alien and by the purser of the outgoing trans-Atlantic or trans-Pacific steamship upon which the holder of said certificate may depart from the United States; or, if the alien be passing in transit through the United States from one point in Canada to another point in Canada, then such indorsement to be made by the conductor of the train upon which the holder of the certificate departs from the United States.

On those arriving at Canadian seaports.

(*c*) Refund of head tax will be made on aliens of the taxable class, arriving at Atlantic or Pacific ports of Canada and desiring to proceed immediately in transit through the United States, to the transportation line responsible for payment of head tax on such aliens, upon proof satisfactory to the United States commissioner of immigration for Canada that said aliens have passed by direct and continuous journey through and out of the United States within the time limit specified in this rule.

Entering and leaving at same port—refund of head tax on account of;

(*d*) Even though an alien, being a "transit passenger," enters and leaves the United States at the same port the provisions of this rule shall be applied to his case to the same extent, and in the same manner so far as necessary, as though such alien entered at one port and departed through another. In the cases of those entering across the Canadian border as transient visitors, however, Form No. 569 will be used instead of Form No. 523, under the procedure laid down in paragraph (*b*) hereof.

Entering as tourists—different practice applying to;

(*e*) A class of "transit passengers" which requires somewhat different treatment in practice than "transits" as ordinarily understood and "transient visitors," whose cases are covered by the preceding paragraphs hereof,

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consists of aliens visiting the United States as tourists, on pleasure or business. With regard to such class, no payment or deposit of head tax need be required, if the immigration officers at the port of entry are satisfied that it is the *bona fide* intent of the passenger merely to visit or tour the United States. For instance, when an alien is in possession of first-class round trip or through transportation, or other circumstances are present, indicating with reasonable certainty that the passenger is a tourist, deposit should not be required; if doubt exists, he should be classed as a "transit" or "transient visitor." Transits:

MISCELLANEOUS RULES.

Cattlemen: Admission of;

RULE 42. *Cattlemen.*—It is ordered that all cattlemen returning to ports within the United States holding certificates duly signed by a commissioner of immigration or an immigrant inspector shall be entitled, upon identification, to admission into the United States without further examination by the immigration officers, to whom said certificate must be presented and surrendered, which certificate must be as follows:

FORM 567. *Cattlemen's certificate of admission.* Form of certificate for.

[Stub.]

DEPARTMENT OF COMMERCE AND LABOR,
IMMIGRATION SERVICE.

No.....
Port of.....
Date....., 190..
Name
Age
Native of
Employed by
Of
A cattleman sailing on the steamship.....
Surrendered at the port of.....
....., 190..
Height
Weight.....
Color of hair.....
Color of eyes.....
General remarks.....
.....
.....
Signature of cattleman:
.....

No..... PORT OF.....,
....., 190..

This is to certify that.....a native of.....age....., who is duly accredited an employee of..... sailing on the steamship....., 190.., is a cattleman from the port of.....United States of America.

The holder of this certificate will be permitted to enter the United States as a returning cattleman on presentation of this certificate and proper identification by the immigration inspector.

Height
Weight.....
Color of hair.....
Color of eyes.....
General remarks.....
.....

.....
Commissioner of Immigration.

NOTE.—This certificate must be furnished by the commissioner of immigration, or immigrant inspector, to the steamship company at the port of departure. The certificate will be filled in by the United States officer and delivered to the captain of the vessel upon which the cattleman sails, who in turn will deliver the paper to the person in whose name it is issued, at the foreign port of destination, to enable the cattleman to return. Any alteration or erasure of this certificate renders it void, and if it is presented by any person other than its rightful owner it will be taken up and the holder subjected to the inspection required by law.

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Immigration officials: Administration of oaths by.

RULE 43. *Administration of oaths.*—The authority to administer oaths conferred upon immigration officials by section 24 of the Immigration Act is limited to matters "touching the right of any alien to enter the United States." When, therefore, such officials are detailed to investigate frauds or attempts to defraud the Government, or any irregularity or misconduct of any officer or agent of the United States, section 183 of the Revised Statutes should be relied upon for authority to administer oaths to witnesses.

Posting laws: Filing certificate of.

RULE 44. *Posting of immigration acts.*—The certificate required by section 8 of the act of Congress approved March 3, 1893, that copies of the immigration acts have been duly posted, shall be filed with the Secretary of Commerce and Labor upon the first days of January and July of each year.

Official communications: To be sent through official channels.

RULE 45. *Official communications.*—Officers employed in the administration of the immigration and Chinese-exclusion laws are notified that all communications to the Department upon official matters must be addressed to the Commissioner-General of Immigration or to the Secretary of Commerce and Labor through official channels.

Telegraphing: Code for.

RULE 46. *Telegraphing.*—With the object of reducing the expense of telegraphing in connection with the official business of the Immigration Service, the telegraphic code provided by the Bureau of Immigration and Naturalization will be employed to the fullest extent possible.

Uniforms: Officers required to wear;

RULE 47. *Uniforms.*—It is hereby ordered that inspection officers and employees of the Immigration Service stationed at ports or places of entry into the United State *and elsewhere* shall, while on duty, *unless otherwise specially directed in writing*, wear uniforms designated by the Bureau of Immigration and Naturalization, said uniforms to be purchased by the said inspectors and employees.

Particulars concerning— Suits;

(*a*) UNIFORM SUITS: Uniform suits will be made of dark blue cloth. The following are the prescribed styles:

Suits for inspectors and assistant inspectors—Coats.—Double-breasted sack, four buttons on each side, ends cut square. Two lower outside pockets, one on upper left side and small ticket pocket on right side. All outside pockets to have flaps, except upper left-hand pocket. Two inside pockets. All pockets to be of liberal size.

Vests.—Single-breasted, six buttons, collar. Four pockets without flaps. Bone buttons.

Trousers.—Plain, with side pockets, two hip pockets, and watch pocket. No stripe. Band back and front on inside at bottom.

Suits for all other officials.—Same as above, except that coat shall be single-breasted instead of double-breasted.

Buttons;

(*b*) BUTTONS: The bone buttons upon suits will be of a special pattern designed to fit brass button shells (detachable) which must be affixed and worn in all cases

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Uniforms: Particulars concerning—

while on duty. Button shells will be forwarded without cost upon application to the Bureau.

Caps;

(*c*) CAPS: Contract has been made for uniform caps, which must be paid for by the employees, the cost per cap being two dollars. If money order for this sum is forwarded to the Bureau, through official channels, full name and title of employee and size of cap wanted being stated, the same will be ordered sent direct to purchaser, express charges collect. The winter cap is made of blue cloth and the summer cap of black silk. *Unless otherwise specified*, BLUE CLOTH cap will be furnished.

Cap insignia;

(*d*) CAP INSIGNIA: Caps will be provided with appropriate insignia and lettering without charge to employees, but orders must be placed through the Bureau in every instance.

Collar insignia;

(*e*) COLLAR INSIGNIA: Inspectors in charge of stations, or of the various divisions at the principal ports of entry, will be designated by an appropriate legend worn on both sides of the front of the coat collar. These legends will be worked in gold letters upon blue cloth, and may be obtained free of cost upon application to the Bureau. The cloth strips will be attached to coat collars with hooks and eyes, so that they may readily be removed.

Service insignia;

(*f*) SERVICE INSIGNIA: Immigrant and Chinese inspectors one year in the service may be designated by a strip of gold braid upon the top of the cuff of the left coat sleeve 2 inches from the bottom of the sleeve and extending halfway around it. An additional strip may be added one-fourth inch higher than its predecessor for each year's completed service up to five years, when a small gold star may be worn in lieu of the braid, which should then be removed. For each year from five to nine, inclusive, a strip of gold braid may be added. Ten years' continuous service may be indicated by two stars, and so on. The equipments needed to comply with this requirement can be secured without charge upon application to the Bureau, the full name and exact service of the employee being stated. Insignia is issued to inspectors only. The length of service is reckoned from the date of original appointment as inspector, and must not include prior service in other capacities. In making request for insignia, give date of original appointment as inspector, or if at present wearing insignia, describe same and give date on which the last prior addition thereto was received from the Bureau.

Seasons;

(*g*) SEASONS: The time of changing from one weight of uniform to another will be governed by the change of seasons at the various stations of employees. Officers stationed in Hawaii and Porto Rico may wear white duck uniforms and caps, insignia for the latter to be procured free of cost upon application to the Bureau.

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Uniforms: Particulars concerning— Light-weight uniforms;

(*h*) LIGHT-WEIGHT UNIFORMS: Officers and employees stationed at places where the climate is too warm to admit of comfort in wearing the regular summer uniform may have their uniforms made of light material suited to the locality, subject to the stipulation that the color and style shall conform to the requirements of paragraph (*a*) hereof. The special buttons required to fit brass shells may be procured from the Bureau.

Inspections;

(*i*) INSPECTIONS: Commissioners of immigration and inspectors in charge will make reports to the Bureau on the first days of January and July regarding the condition of each part of the uniform of every employee under their respective jurisdictions, each portion of every uniform being graded as excellent, good, fair, or bad, as the case may be. Form 596 will be used in making these reports, and if any reports showing the condition to be "bad" is made, the steps that have been taken to correct this condition should be noted.

New appointees.

(*j*) NEW APPOINTEES: Officers having charge of immigration stations, districts, or ports will require employees newly appointed and ordered to report to them for duty to provide themselves with standard uniforms within thirty days from the date of assignment to duty, and will see that the *full uniform* is worn by all employees, as herein provided.

STATISTICAL RULES.

Manifests required by law: All passengers incoming;

RULE I. (*a*) The passenger act, approved August 2, 1882 (22 Stat., 186), and the act amendatory thereof, approved February 9, 1905 (33 Stat., pt. 1, p. 711), require that masters of vessels shall deliver to collectors of customs at United States ports lists or manifests of *all passengers* arriving from foreign ports.

Aliens incoming; Aliens outgoing; Aliens from insular possessions;

(*b*) By section 12 of the Immigration Act, approved February 20, 1907, masters of vessels are required to deliver manifests of aliens arriving in the United States to immigration officers in charge at port of arrival, and manifests of aliens departing from the United States to collector of customs at port of departure. The said act also requires that manifests of aliens sailing from the Philippine Islands, Guam, Porto Rico, and Hawaii for any port of the United States on the North American Continent shall be delivered to the immigration officers at such continental port of arrival.

Blanks for, furnished by Department.

(*c*) Blank forms for use in the preparation of manifests are furnished by the Department, the numbers employed for the above-mentioned purposes, respectively, being: For all passengers incoming, Form 1440; for aliens incoming, Forms 500, 500–A, and 500–B; for aliens outgoing, Forms 628, 628–A, and 628–B; and for aliens from insular possessions, Form 629.

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General inward passenger movement:

Duties of collectors concerning;

RULE II. (*a*) Collectors of customs shall prepare from the passenger lists (Form 1440) which are in their custody a monthly statement showing, by sex, the total number of United States citizens and total number of passengers arriving each month, and deliver such statement to the immigration officer in charge at the port of entry.

(*b*) Collectors should exercise such supervision over the preparation of passenger lists as lies within their power, and should provide facilities for the examination of said lists by immigration officers with a view to prevent or to correct errors therein.

Duties of immigration officers concerning.

RULE III. (*a*) Immigration officers are directed to prepare from statements furnished by collectors and from data taken from inward alien manifests (Forms 500, 500–A, and 500–B) monthly reports on Form 619, showing (1) total number of immigrant aliens admitted, by sex; (2) total number of nonimmigrant aliens admitted, by sex; (3) total number of United States citizens arrived, by sex; (4) total number aliens debarred, by sex.

(*b*) In preparing this information from two sources, one of which is not checked by any Government officer, immigration officials should be watchful for inconsistencies, especially with regard to the data taken from passenger lists, and, when necessary, should examine those lists with a view to avoid or to correct errors.

Alien inward passenger movement:

Data to be compiled from manifests covering—

RULE IV. From the manifests of inward-bound alien passengers (Forms 500, 500–A, and 500–B) shall be compiled the following data: Whether immigrant or nonimmigrant alien; age; sex; calling or occupation; whether able to read and whether able to write; race or people; country of last permanent residence; destination (future permanent residence); amount of money; whether ever before in the United States; by whom passage was paid; whether going to join relative or friend, and if so, whom; whether admitted or debarred; if debarred, cause therefor.

Manner of reporting;

RULE V. The above information shall be transferred to monthly statistical reports, that for immigrant aliens admitted to Form 601–606 and 619, inclusive, and that for nonimmigrant aliens admitted to Form 619, 620, and 651–656, inclusive.

Revision of manifests covering—

Officers to inform themselves of duties respecting;

RULE VI. Inspectors and other employees should familiarize themselves with the character of data required for statistical purposes, as herein set forth, in order that the different items of information may be properly checked and revised on the inward alien manifests (Forms 500, 500–A, and 500–B) during the personal examination of aliens, whether they arrive in the first or second cabin or steerage. After the revision the entries upon manifests should be sufficiently complete to enable statisticians to compile intelligently and accurately therefrom the statistical data required.

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Alien inward passenger movement:

Meaning of terms employed in manifests and statistics of and instructions regarding—

"Immigrant aliens;"

"Nonimmigrant aliens;"

RULE VII. Arriving aliens whose permanent residence has been outside of the United States, and who intend to reside permanently in the United States, are classed as immigrant aliens. This includes residents and citizens of foreign contiguous territory. Immigrant aliens admitted will be reported in statistics on Form 601–606 and 619.

RULE VIII. Alien residents returning from a temporary trip abroad, and aliens residing abroad, coming to the United States for a temporary trip, shall be classed as nonimmigrant aliens (except as provided by Rule IX). Inspection officers engaged in revising manifests are directed to see that all nonimmigrant aliens are distinctly indicated as such on manifests. Nonimmigrant aliens admitted should be reported on statistical Forms 619, 620, and 651–656.

One-year residents of foreign contiguous territory;

RULE IX. Aliens who have resided in foreign contiguous territory for one year or more and who are coming to the United States only for temporary sojourn therein should not be reported as nonimmigrant aliens and should not be recorded in any immigration report. Aliens who have resided in foreign contiguous territory less than one year, who come for temporary sojourn, should be recorded as nonimmigrant aliens.

"Calling or occupation;"

RULE X. (*a*) Occupations should be described as definitely as possible in manifests, as, for example, civil engineer, mining engineer, locomotive engineer, stationary engineer, brass polisher, steel polisher, iron molder, wood turner, etc., and not simply as engineer, polisher, molder, turner, or other indefinite designation.

Divisions of;

(*b*) The various occupations are classified in statistical reports under three general heads, namely, "Professional," "Skilled," and "Miscellaneous." Dependent women and children and other aliens without occupation should be classified as "No occupation." Occupations not listed in said reports should be recorded by statisticians as "Other professional," "Other skilled," or "Other miscellaneous." In determining to which of these three classes aliens belong, the following instructions should govern:

Professional occupations;

(*c*) *Professional.*—Occupations which properly involve a liberal education, or its equivalent, and mental rather than manual labor, should be classed as "Professional."

Skilled occupations;

(*d*) *Skilled.*—Occupations which properly involve special training and manual dexterity, as the learning of a trade, should be classed as "Skilled."

Miscellaneous occupations;

(*e*) *Miscellaneous.*—Occupations other than professional and skilled should be classed as "Miscellaneous."

Farmers and farm laborers,

(*f*) A distinction should be made between farmers and farm laborers. A farmer is one who operates a farm, either for himself or others. A farm laborer is one who works on a farm for the man who operates it. Steamship companies should make this distinction on manifests, and corrections should be made, if necessary, by inspection officers during the examination of aliens.

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Alien. Inward passenger movement:

Meaning of terms employed, etc.—

"Race or people;"

RULE XI. (*a*) "Race or people" should be determined by the stock from which aliens sprang and the language they speak. Special attention should be paid to showing this information independently either of country as representing nationality or country as representing last permanent residence, and with respect to these points manifests should be carefully revised by inspection officers. For the convenience of steamship companies and inspection officers, a list of races is shown on the back of manifests. Certain distinctions with regard to race or people are pointed out, as follows:

Distinctions regarding;

"Cuban;"

(*b*) *Cuban.*—The term "Cuban" refers to the Cuban people (not Negroes).

"West Indian;"

(*c*) *West Indian.*—"West Indian" refers to the people of the West Indies other than Cuba (not Negroes).

"Spanish-American;"

(*d*) *Spanish-American.*—"Spanish-American" refers to the people of Central and South America of Spanish descent.

"African (black);"

(*e*) *African (black).*—"African (black)" refers to the African Negro, whether coming from Cuba or other islands of the West Indies, North or South America, Europe, or Africa. All aliens whose appearance indicates an admixture of negro blood should be classified under this heading.

"Italian (North);"

(*f*) *Italian (North).*—The people who are native to the basin of the River Po in northern Italy (i. e., Compartments of Piedmont, Lombardy, Venetia, and Emilia), and their descendants, whether residing in Italy, Switzerland, Austria-Hungary, or any other country, should be classed as "Italian (North)." Most of these people speak a Gallic dialect of the Italian language.

"Italian (South);"

(*g*) *Italian (South).*—The people who are native to that portion of Italy south of the basin of the River Po (i. e., Compartments of Liguria, Tuscany, the Marches, Umbria, Rome, the Abruzzi and Molise, Campania, Apulia, Basilicata, Calabria, Sicily, and Sardinia), and their descendants, should be classed as "Italian (South)."

"Country of last permanent residence;"

RULE XII. An intended residence of twelve months, whether past or future, shall constitute "permanent residence." The last country in which alien resided with the intention of remaining as long as twelve months shall be the "last permanent residence" regardless of the length of actual residence therein. The last permanent residence should be entered in column 10 of Manifest. Intended future permanent residence should be entered in column 12 as representing "final destination." Name of the State and city should be given if within the United States; name of country if outside of the United States.

"Amount of money brought;"

RULE XIII. (*a*) Money brought by the head of a family should not be divided among the several members thereof.

(*b*) On Form 602 under the head of "Aliens bringing less than $50" should be recorded only aliens with money, but less than $50.

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Alien inward passenger movement: Meaning of terms employed, etc.— "Admitted and debarred;"

RULE XIV. (*a*) Aliens should be reported as admitted or debarred in the month in which final action is taken, regardless of the date of arrival of the ship bringing them. Aliens debarred should not be reported as debarred until placed on shipboard for deportation, and then should be recorded in the monthly statistics only on Forms 602–A and 619. The number of immigrant and nonimmigrant aliens actually admitted and the number of aliens debarred, as reported in the monthly statistical reports, should correspond with the numbers entered on lines 1, 2, and 3 of the monthly agreement statement (Form 519). The total of quarter-monthly reports of aliens debarred should correspond with the number so recorded on Forms 602–A, 619, and 519.

Debarred residents of foreign contiguous territory;

(*b*) Aliens applying for admission from foreign contiguous territory who have resided therein less than one year, and those who have resided therein for one year or more who apply for admission with the intention of permanent residence in the United States, if debarred, shall be reported on Forms 602–A, 619, and 519. Aliens from foreign contiguous territory who have resided therein more than one year and who apply for admission only for temporary sojourn in the United States if debarred should be reported only on Form 580.

Monthly statistical reports on, and method of preparation—

RULE XV. (*a*) The work of compiling statistical information at each port should be kept closely up to date, and the statistical reports on Forms 601–606, 619, 620, and 651–656, should be forwarded to the Bureau at the earliest possible moment after the close of each month, accompanied by the statement of agreement on Form 519, and reports of appeals. To assist in accomplishing this end the following instructions should be observed by the larger ports:

Instructions re, for larger ports;

Use of tally and transfer sheets of;

(*b*) Blank tally and transfer sheets, to which statistical information is transferred from the original manifests, are furnished for use at the larger ports. The various items of statistical information for a convenient number of aliens should be transferred to the tally sheets (Forms 611 and 612), which should be added and balanced to prove their accuracy and then entered on transfer sheets (Forms 613–618). The transfer sheets should carry the record for an entire month, and when added and balanced at the close thereof the data should be recorded in the monthly statistical reports.

Disposition and method of recording on manifests;

(*c*) Manifests should form a permanent record of the disposition of all arriving aliens. On primary inspection all aliens admitted and all aliens detained should be so designated on manifests. Day by day, as final disposition is made of those detained on primary inspection, record thereof should be made opposite the names on the manifests, and also on the cards mentioned in the following paragraph in cases where statistical data regarding

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Alien inward passenger movement:

the aliens have been entered on such cards. Debarred aliens should be considered as detained (pending) until actually placed on shipboard for deportation.

Monthly statistical reports, etc.—

(*d*) Thus, at the time the statistical information is tallied from the manifests such manifests will show which aliens, up to date the tally is made, have been actually admitted, which finally debarred, and which are still detain (pending). The statistical data with regard to those shown on manifests as actually admitted, and debarred, at the time the tally is made should be regularly transferred to tally sheets; for aliens still detained (pending), however, the data should not then be transferred to tally sheets, but to cards (Form 600) entitled "Statistical data for detained alien."

Debarred aliens to be regarded as "pending" until deported;

Use of "Statistical data for detained alien" cards, in preparing;

Disposition entered thereon;

(*e*) When the admissibility of the aliens recorded on these cards is finally determined, the disposition and date of disposition should be entered on the card (and also on the manifest), and the statistical data regarding such aliens should then be transferred direct from the cards to the tally sheets, avoiding the necessity of going through the manifests a second time for statistical data regarding aliens whose admissibility was undetermined when the first tally was made.

Data to be transferred from cards to tally sheets;

Closing of month's business;

(*f*) The tallying for the month should be completed on the day following the close thereof. Statistical information with regard to aliens still detained at the close of the month (and therefore not included in the month's statistics) should by this plan be entered on cards, which will offer a convenient means of separating aliens pending at close of month.

Reports concerning, and method of preparation—

Daily of arriving, quarterly of debarred and returned, and weekly of detained aliens;

RULE XVI. (*a*) Daily reports of alien arrivals, quarter-monthly reports of aliens debarred and returned, and weekly reports of aliens detained should be regularly forwarded to the Bureau of Immigration and Naturalization after the close of the periods to which they relate. Aliens who refuse to pay head tax and stowaways are not considered to be applicants for admission and are not recorded in said reports. Aliens who have resided continuously in Canada, Newfoundland, or Mexico for one year or more next preceding application for admission to the United States (unless coming for permanent residence in the United States), and arrivals in continental United States from insular possessions, are not accounted for in immigration statistics. They should not, therefore, be included in these reports. All other arriving aliens, including those who have resided in Canada, Newfoundland, or Mexico for one year or more who are coming for permanent residence, all aliens who have resided in Canada, Newfoundland, or Mexico less than one year, citizens of Cuba, alien Chinese, and deserting alien seamen, whether or not apprehended, should be included in these reports.

What aliens not included in;

Included in;

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Alien inward passenger movement:

Reports concerning, and method of preparation—

Particulars regarding daily reports;

(*b*) In daily reports, entries on each line under the head of "Total alien arrivals" should represent the total of entries under the heads of first and second cabins, steerage, and deserting alien seamen. Each column should also be totaled at the bottom. The total number reported in the daily reports during the month should be shown on line 18 of the monthly agreement statement.

Particulars regarding quarter-monthly reports;

(*c*) In preparing quarter-monthly reports of debarred aliens, while it is expected that all required information will be carefully recorded therein, especial care should be exercised to accurately record the foreign port of embarkation, steamship line, and cause of deportation. Under the latter heading names of diseases should be shown in cases of aliens deported because of disease. The total recorded on these reports each month should agree with the number reported in Forms 602–A and 619, and the number recorded on line 3 of the monthly agreement statement.

Statutory reasons for debarment to be given;

(*d*) As no alien can be debarred from the United States except for a statutory reason, no other reason for exclusion should be given in statistical reports. A list of causes of exclusion is given on Form 602–A.

Monthly reports of appeals and bond cases;

RULE XVII. The monthly reports of appeals and applications for admission under bond to the Department should show the number of persons whose admission or rejection depends upon the decision of the Department. Appeals and applications under the immigration laws should be reported on Form 547; appeals under the laws governing the admission of Chinese on Form 428. Appeals for all classes of aliens, including all residents of Canada, Newfoundland, or Mexico, should be included in these reports.

Statement of agreement.

RULE XVIII. The statement on Form 519 should show an agreement between aliens accounted for in the monthly statistics, arrivals reported in daily reports, and the amount of head tax collected, and should be forwarded to the Bureau accompanied by the monthly statistical reports and reports of appeals. The entries on lines 1, 2, and 3 of the agreement statement should correspond, respectively, with the totals shown in the statistical reports of "Immigrant aliens admitted," "Nonimmigrant aliens admitted," and "Aliens debarred." The total number reported in the daily reports during the month should agree with the entry on line 18, and the total number on account of whom head tax is collected should correspond with the entry on line 38. Instructions accompanying the statement of agreement give detailed information with regard to its preparation.

Special instructions regarding exceptional cases—

Residents of British North America and Mexico.

RULE XIX. Aliens who have resided in Canada, Newfoundland, or Mexico continuously for one year or more next preceding application for admission to the United States are exempt from head tax. If such aliens come to the United States for permanent residence, they should

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be manifested and included in statistics as immigrant aliens and should be included in other immigration reports. If they come only for temporary sojourn, they should not be manifested and should not be recorded as nonimmigrant aliens, and should not be included in statistics nor in other immigration reports, unless debarred, in which case they should be reported only on Form 580, report of aliens refused admission from foreign contiguous territory. Aliens who have resided in Canada, Newfoundland, or Mexico less than one year and all residents and citizens of Canada, Newfoundland, or Mexico coming from countries other than Canada, Newfoundland, or Mexico, are subjects for head tax, are manifested, and are included in statistics the same as other aliens who come from countries other than Canada, Newfoundland, Mexico, or Cuba.

Alien inward passenger movement: *Exceptional cases—*

RULE XX. Aliens who have resided in Cuba for one year or more next preceding departure for the United States are exempt from head tax, but all aliens from Cuba should be regularly manifested, examined as to their admissibility, and included in statistics and other immigration reports.

Residents of Cuba;

RULE XXI. Citizens of Porto Rico, the Philippine Islands, Guam, and the Hawaiian Islands are exempt from the provisions of the immigration laws, and should not be examined thereunder or reported in immigration statistics or other immigration reports. Alien Chinese from island possessions, however, are subject to the laws governing the admission of Chinese. (See sec. 1, act of April 29, 1902, 32 Stat., part 1, p. 176.) All aliens from such possessions should be manifested on Form 629.

Citizens of and aliens from insular possessions;

RULE XXII. Aliens arriving in this country en route to any of the island possessions of the United States are to be examined under the immigration laws as to their right of entry, are subjects for head tax if belonging to the taxable class, and are to be included in immigration statistics and other immigration reports in the same manner as if their destination were within continental United States.

Arriving aliens en route to insular possessions;

RULE XXIII. Whether or not apprehended, deserting alien seamen should be reported in daily reports of arrivals. Head tax should be collected, if they belong to the taxable class, and held as special deposit. Upon proof being presented, however, by masters of vessels within three months after date of desertion that alien has departed from the United States, said head tax may be refunded. If at the expiration of three months proof of departure has not been received, deposit will be regularly paid into head tax account. Deserting alien seamen should not be reported in the immigration statistics unless apprehended, and then only in the absence of an intention to reship. The total number of deserting alien seamen included in each month's daily reports should

Deserting alien seamen;

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Alien inward passenger movement: *Exceptional cases*—

correspond with the entry on line 6 of the monthly agreement statement. The number apprehended and included in the statistics should correspond with the entry on line 15 of the said agreement statement.

Stowaways;

RULE XXIV. Stowaways are not regarded as aliens applying for admission to the United States and they should not be included in immigration statistics. The number of such cases each month should, however, be reported on line 40 of agreement statement (Form 519).

Aliens who refuse to pay head tax;

RULE XXV. Aliens applying for admission who refuse to pay head tax should not be considered as applicants for admission, and should not be reported in any immigration report. The number of such cases should, however, be reported on line 41 of agreement statement (Form 519).

Aliens who die or escape;

RULE XXVI. If aliens who have been included in daily reports of arrivals die or escape before admission or deportation, they should not be included in statistical reports, but should be accounted for on lines 9 and 10 of agreement statement. If such escaped aliens are afterwards apprehended, they should be regularly entered in the monthly statistical reports and again accounted for on line 16 of agreement statement.

Chinese subject to immigration laws and regulations;

RULE XXVII. Chinese should be listed in the regular inward alien manifests (Forms 500, 500–A, and 500–B) and examined under the immigration laws, in addition to being listed in Chinese manifests (Form 418), examined, and reported in the quarter-monthly reports, under the Chinese regulations. Alien Chinese are subjects for head tax, and should be reported in regular immigration statistics and other immigration reports. Chinese admitted as aliens under the laws governing the admission of Chinese shall be classed under the immigration laws as aliens, and those admitted as United States citizens shall be so considered under the immigration laws.

General outward passenger movement.

RULE XXVIII. At the close of each quarter year the collector of customs at each port will forward to the Bureau of Immigration and Naturalization a statement on Form 1171 of all passengers departed for foreign countries from his port.

Alien outward passenger movement;

RULE XXIX. Manifests of outward-bound aliens (on Forms 628, 628–A, and 628–B) shall be delivered to collectors of customs within sixty days after the departure of a vessel from a United States port. The collector of customs shall deliver the said manifests to the officer in charge of immigration matters at his port; and the said immigration officer shall cause to be prepared from said manifests monthly statistical reports of departing aliens, using Forms 621–627 and 631–636, inclusive.

Delivery of manifests covering;

Classifying emigrant and nonemigrant aliens;

RULE XXX. Departing aliens shall be divided into the two classes—emigrant and nonemigrant aliens. Those whose permanent residence has been in the United States, who intend to reside permanently outside, shall be classed

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as "emigrant aliens." Alien residents leaving the United States with the intention of remaining abroad but temporarily and alien nonresidents leaving after a temporary sojourn in the United States shall be classed as "nonemigrant aliens." Alien outward passenger movement:

RULE XXXI. Emigrant aliens departing shall be recorded in monthly statistical reports on Forms 621–626, inclusive, and nonemigrant aliens departing in monthly statistical reports on Forms 631–636, inclusive, to show sex, age, place of last residence, length of residence in the United States, country of intended future residence, race or people, and occupation. Items to be recorded in statistics concerning.

RULE XXXII. (*a*) Section 1 of the act of Congress approved June 29, 1906, entitled "An act to establish a Bureau of Immigration and Naturalization, and to provide for a uniform rule for the naturalization of aliens throughout the United States" (34 Stat., pt. 1, p. 596), provides that there shall be maintained at the various immigration stations "books of record" containing certain specified information as to every alien admitted. Record books and card indexes required by naturalization law:

(*b*) It is hereby ordered that the manifests of aliens (Forms 500, 500–A, and 500–B) shall constitute the "book of record" required by the statute referred to, and that all completed manifests shall be arranged chronologically, bound permanently in books of 150 manifests, and carefully preserved for reference. Due precautions must be taken to guard against the possible loss or destruction of manifests, whether bound or not. What shall constitute;

(*c*) Inspection officers are directed to give particular attention to procuring the supplemental information called for in columns 25 to 29 of the manifest, supplying any deficiencies which may be found to exist and carefully verifying the information set forth under the respective headings. Officers to supply deficiencies in;

(*d*) All aliens from Canada and Mexico applying for admission to the United States, except those who have resided in Canada or Mexico for one year or more who are coming for temporary sojourn in the United States, shall be regularly manifested both for statistical and naturalization purposes. What aliens from Canada and Mexico to be manifested;

(*e*) To facilitate reference to the permanent record herein constituted, the names of all aliens shall be card indexed (Form 502 being used for that purpose), a card to be made out for each and every alien admitted to the United States, except those who have resided in Canada or Mexico for one year or more who are coming for temporary sojourn in the United States. The index cards shall be carefully and accurately prepared and placed in card-index cabinets provided for that purpose, alphabetical guide cards being used, to whatever extent may be necessary, to insure proper subdivision of the record cards. Commissioners of immigration and inspectors in charge shall apply to the Bureau for any special in- Preparation of card indexes.

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Record books and card indexes required by naturalization law:

structions or information desired in regard to indexing, card cabinets, preparation and binding of manifests, etc. Whenever practicable, index cards shall be typewritten to insure legibility, black record typewriter ribbons to be used. In the event of possible confusion of the surname and given name, one card to be made for each combination, thus insuring an accurate cross-reference index.

F. P. SARGENT,
Commissioner-General of Immigration.

Approved October 5, 1908.

OSCAR S. STRAUS,
Secretary.

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APPENDIX.

LAWS NOT REPEALED OR REENACTED BY THE IMMIGRATION ACT OF FEBRUARY 20, 1907.

ACT OF AUGUST 3, 1882.

AN ACT to regulate immigration.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there shall be levied, collected, and paid a duty of fifty cents for each and every passenger not a citizen of the United States who shall come by steam or sail vessel from a foreign port to any port within the United States. The said duty shall be paid to the collector of customs of the port to which such passenger shall come, or if there be no collector at such port, then to the collector of customs nearest thereto, by the master, owner, agent, or consignee of every such vessel, within twenty-four hours after the entry thereof into such port. The money thus collected shall be paid into the United States Treasury and shall constitute a fund to be called the immigrant fund and shall be used, under the direction of the Secretary of Commerce and Labor, to defray the expense of regulating immigration under this act and for the care of immigrants arriving in the United States, for the relief of such as are in distress, and for the general purposes and expenses of carrying this act into effect. The duty imposed by this section shall be a lien upon the vessels which shall bring such passengers into the United States, and shall be a debt in favor of the United States against the owner or owners of such vessels, and the payment of such duty may be enforced by any legal or equitable remedy: *Provided*, That no greater sum shall be expended for the purposes hereinbefore mentioned, at any port, than shall have been collected at such port.[a]

Head tax: Amount;

By whom and to whom paid, within 24 hours after arrival;

To constitute Immigrant fund;

How collection enforced.

* * * * *

Approved August 3, 1882 (22 Stat., 214).

[a] See section 1, act February 20, 1907, and Rules 1, 2, and 3.

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ACT OF FEBRUARY 26, 1885.

AN ACT to prohibit the importation and immigration of foreigners and aliens under contract or agreement to perform labor in the United States, its Territories, and the District of Columbia.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, * * *

Contract labor: Contracts for alien labor declared void.

SEC. 2. That all contracts or agreements, express or implied, parol or special, which may hereafter be made by and between any person, company, partnership, or corporation, and any foreigner or foreigners, alien or aliens, to perform labor or service or having reference to the performance of labor or service by any person in the United States, its Territories, or the District of Columbia, previous to the migration or importation of the person or persons whose labor or service is contracted for into the United States, shall be utterly void and of no effect.[a]

* * * * *

Approved February 26, 1885 (23 Stat., 332).

ACT OF MARCH 3, 1891.

AN ACT in amendment to the various acts relative to immigration and the importation of aliens under contract or agreement to perform labor.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, * * *

Superintendent of Immigration: Office created; Salary fixed.

SEC. 7. That the office of superintendent of immigration is hereby created and established, and the President, by and with the advice and consent of the Senate, is authorized and directed to appoint such officer, whose salary shall be four thousand dollars per annum, payable monthly. The superintendent of immigration shall be an officer in the Treasury Department, under the control and supervision of the Secretary of Commerce and Labor, to whom he shall make annual reports in writing of the transactions of his office, together with such special reports, in writing, as the Secretary of Commerce and Labor shall require. The Secretary shall provide the superintendent with a suitably furnished office in the city of Washington, and with such books of record and facilities for the discharge of the duties of his office as may be necessary. He shall have a chief clerk at a salary of two thousand dollars per annum, and two first-class clerks.[b]

* * * * *

Approved March 3, 1891 (26 Stat., 1084).

[a] See sections 2, 4, 5, and 6, act February 20, 1907.

[b] See section 1, act March 2, 1895, and section 22, act February 20, 1907.

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ACT OF FEBRUARY 15, 1893.

AN ACT granting additional quarantine powers and imposing additional duties upon the Marine-Hospital Service.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, * * *

Quarantine: President given extraordinary power to suspend immigration.

SEC. 7. That whenever it shall be shown to the satisfaction of the President that by reason of the existence of cholera, or other infectious or contagious diseases, in a foreign country there is serious danger of the introduction of the same into the United States, and that notwithstanding the quarantine defense this danger is so increased by the introduction of persons or property from such country that a suspension of the right to introduce the same is demanded, in the interest of the public health, the President shall have power to prohibit, in whole or in part, the introduction of persons and property from such countries or places as he shall designate and for such period of time as he may deem necessary.

* * * * *

Approved February 15, 1893 (27 Stat., 449).

ACT OF MARCH 3, 1893.

AN ACT to facilitate the enforcement of the immigration and contract-labor laws of the United States.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, * * *

Certificates: Required of steamship companies re posting laws in foreign offices; Penalty for failure.

SEC. 8. That all steamship or transportation companies, and other owners of vessels, regularly engaged in transporting alien immigrants to the United States, shall twice a year file a certificate with the Secretary of Commerce and Labor that they have furnished to be kept conspicuously exposed to view in the office of each of their agents in foreign countries authorized to sell emigrant tickets, a copy of the law of March third, eighteen hundred and ninety-one, and of all subsequent laws of this country relative to immigration, printed in large letters, in the language of the country where the copy of the law is to be exposed to view, and that they have instructed their agents to call the attention thereto of persons contemplating emigration before selling tickets to them; and in case of the failure for sixty days of any such company or any such owners to file such a certificate, or in case they file a false certificate, they shall pay a fine of not exceeding five hundred dollars, to be recovered in the proper United States court, and said fine shall also be a lien upon any vessel of said company or owners found within the United States.[a]

* * * * *

Approved March 3, 1893 (27 Stat., 569).

[a] See Rule 44 for time of filing.

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ACT OF AUGUST 18, 1894.

AN ACT making appropriations for sundry civil expenses of the Government for the fiscal year ending June thirtieth, eighteen hundred and ninety-five, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, * * *

Commissioners of immigration: Appointed by President.

The commissioners of immigration at the several ports shall be appointed by the President, by and with the advice and consent of the Senate, to hold their offices for the term of four years, unless sooner removed, and until their successors are appointed; and nominations for such offices shall be made to the Senate by the President as soon as practicable after the passage of this act.[a]

Approved August 18, 1894 (28 Stat., 372).

ACT OF MARCH 2, 1895.

AN ACT making appropriations for the legislative, executive, and judicial expenses of the Government for the fiscal year ending June thirtieth, eighteen hundred and ninety-six, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, * * *

BUREAU OF IMMIGRATION.

Commissioner-General: Title created; Administration contract-labor laws placed under;

That the Superintendent of Immigration shall hereafter be designated as Commissioner-General of Immigration, and, in addition to his other duties, shall have charge, under the Secretary of Commerce and Labor, of the administration of the alien contract-labor laws, etc.[a]

Approved March 2, 1895 (28 Stat., 764).

ACT OF JUNE 6, 1900.

AN ACT making appropriations for sundry civil expenses of the Government for the fiscal year ending June thirtieth, nineteen hundred and one, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, * * * and hereafter the Commissioner-General of Immigration, in addition to his other duties, shall have charge of the administration of the Chinese-exclusion law and of the various acts regulating immigration into the United States, its Territories, and the District of Columbia, under the supervision and direction of the Secretary of Commerce and Labor.

Chinese-exclusion laws placed under.

Approved June 6, 1900 (31 Stat., 611).

[a] See section 7, act March 3, 1891, and section 22, act February 20, 1907.

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ACT OF APRIL 29, 1902.

AN ACT to prohibit the coming into and to regulate the residence within the United States, its Territories, and all territory under its jurisdiction, and the District of Columbia, of Chinese and persons of Chinese descent.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, * * *

Fairs and expositions: Exceptions in favor of exhibitors at.

SEC. 3. That nothing in the provisions of this Act or any other Act shall be construed to prevent, hinder, or restrict any foreign exhibitor, representative, or citizen of any foreign nation, or the holder, who is a citizen of any foreign nation, of any concession or privilege from any fair or exposition authorized by Act of Congress from bringing into the United States, under contract, such mechanics, artisans, agents, or other employees, natives of their respective foreign countries, as they or any of them may deem necessary for the purpose of making preparation for installing or conducting their exhibits or of preparing for installing or conducting any business authorized or permitted under or by virtue of or pertaining to any concession or privilege which may have been or may be granted by any said fair or exposition in connection with such exposition, under such rules and regulations as the Secretary of Commerce and Labor may prescribe, both as to the admission and return of such person or persons.

* * * * *

Approved April 29, 1902 (32 Stat., part 1, p. 176).

ACT OF FEBRUARY 3, 1905.

AN ACT making appropriations for the legislative, executive, and judicial expenses of the Government for the fiscal year ending June thirtieth, nineteen hundred and six, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, * * *

BUREAU OF IMMIGRATION.

* * * * *

Head tax: Refund of, when erroneously collected.

Provided, That the Commissioner-General of Immigration, with the approval of the Secretary of Commerce and Labor, shall have power to refund head tax heretofore and hereafter collected under section one of the immigration Act approved March third, nineteen hundred and three, upon presentation of evidence showing conclusively that such collection was erroneously made.[a]

Approved February 3, 1905 (33 Stat., part 1, p. 631).

[a] See Rules 1 and 41.

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ACT OF FEBRUARY 6, 1905.

AN ACT to amend an Act approved July first, nineteen hundred and two, entitled "An Act temporarily to provide for the administration of the affairs of civil government in the Philippine Islands, and for other purposes, and to amend an Act approved March eighth, nineteen hundred and two, entitled "An Act temporarily to provide revenue for the Philippine Islands, and for other purposes," and to amend an Act approved March second, nineteen hundred and three, entitled "An Act to establish a standard of value and to provide for a coinage system in the Philippine Islands," and to provide for the more efficient administration of civil government in the Philippine Islands, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, * * *

Philippine Islands: Enforcement immigration laws therein; Collection head tax therein.

SEC. 6. That the immigration laws of the United States in force in the Philippine Islands shall be administered by the officers of the general government thereof designated by appropriate legislation of said government, and all moneys collected under said laws as duty or head tax on alien immigrants coming into said islands shall not be covered into the general fund of the Treasury of the United States, but shall be paid into the treasury of said islands to be used and expended for the government and benefit of said islands.

* * * * *

Approved February 6, 1905 (33 Stat., 689).

ACT OF MARCH 3, 1905.

AN ACT making appropriations for sundry civil expenses of the Government for the fiscal year ending June thirtieth, nineteen hundred and six, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, * * *

Subscriptions: To be paid in advance.

Provided, That the annual subscriptions for publications for use in the immigration service at large may be paid in advance.

Approved March 3, 1905 (33 Stat., part 1, p. 1156).

ACT OF JUNE 29, 1906.

AN ACT to establish a Bureau of Immigration and Naturalization, and to provide for a uniform rule for the naturalization of aliens throughout the United States.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the designation of the Bureau of Immigration in the Department of Commerce and Labor is hereby changed to the "Bureau of Immigration and Naturalization," which said Bureau, under the direction and control of the Secretary of Commerce and Labor, in addition to

Bureau of Immigration: Title changed to Bureau of Immigration and Naturalization.

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the duties now provided by law, shall have charge of all matters concerning the naturalization of aliens. That it shall be the duty of the said Bureau to provide, for use at the various immigration stations throughout the United States, books of record, wherein the commissioners of immigration shall cause a registry to be made in the case of each alien arriving in the United States from and after the passage of this Act of the name, age, occupation, personal description (including height, complexion, color of hair and eyes), the place of birth, the last residence, the intended place of residence in the United States, and the date of arrival of said alien, and, if entered through a port, the name of the vessel in which he comes. And it shall be the duty of said commissioners of immigration to cause to be granted to such alien a certificate of such registry, with the particulars thereof.[a]

* * * * *

Approved June 29, 1906 (34 Stat., part 1, p. 596).

ACT OF MARCH 2, 1907.

AN ACT in reference to the expatriation of citizens and their protection abroad.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of State shall be authorized, in his discretion, to issue passports to persons not citizens of the United States as follows: Where any person has made a declaration of intention to become such a citizen as provided by law and has resided in the United States for three years a passport may be issued to him entitling him to the protection of the Government in any foreign country: *Provided*, That such passport shall not be valid for more than six months and shall not be renewed, and that such passport shall not entitle the holder to the protection of this Government in the country of which he was a citizen prior to making such declaration of intention.

Passports:

When issued to persons not citizens;

Not valid in country of alien's former domicile.

SEC. 2. That any American citizen shall be deemed to have expatriated himself when he has been naturalized in any foreign state in conformity with its laws, or when he has taken an oath of allegiance to any foreign state.

When any naturalized citizen shall have resided for two years in the foreign state from which he came, or for five years in any other foreign state it shall be presumed that he has ceased to be an American citizen, and the place of his general abode shall be deemed his place of residence during said years: *Provided*, *however*, That such presumption may be overcome on the presentation of satisfactory evidence to a diplomatic or consular officer of the

Expatriation:

How effected;

How presumption overcome.

[a] For naturalization laws and regulations drawn thereunder, see pamphlet entitled "Naturalization Laws and Regulations."

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United States, under such rules and regulations as the Department of State may prescribe: *And provided also*, That no American citizen shall be allowed to expatriate himself when this country is at war.

Marriage:
How affects status of woman marrying foreigner;

SEC. 3. That any American woman who marries a foreigner shall take the nationality of her husband. At the termination of the marital relation she may resume her American citizenship, if abroad, by registering as an American citizen within one year with a consul of the United States, or by returning to reside in the United States, or, if residing in the United States at the termination of the marital relation, by continuing to reside therein.

Of foreign woman marrying American.

SEC. 4. That any foreign woman who acquires American citizenship by marriage to an American shall be assumed to retain the same after the termination of the marital relation if she continue to reside in the United States, unless she makes formal renunciation thereof before a court having jurisdiction to naturalize aliens, or if she resides abroad she may retain her citizenship by registering as such before a United States consul within one year after the termination of such marital relation.

Minor children:
Born outside United States, how citizenship resumed, and when takes effect.

SEC. 5. That a child born without the United States of alien parents shall be deemed a citizen of the United States by virtue of the naturalization of or resumption of American citizenship by the parent: *Provided*, That such naturalization or resumption takes place during the minority of such child: *And provided further*, That the citizenship of such minor child shall begin at the time such minor child begins to reside permanently in the United States.

Foreign born, citizens under sec. 1993, R. S.; Assumption of citizenship by.

SEC. 6. That all children born outside the limits of the United States who are citizens thereof in accordance with the provisions of section nineteen hundred and ninety-three of the Revised Statutes of the United States[a] and who continue to reside outside the United States shall, in order to receive the protection of this Government, be required upon reaching the age of eighteen years to record at an American consulate their intention to become residents and remain citizens of the United States and shall be further required to take the oath of allegiance to the United States upon attaining their majority.

Evidence:
To be filed with State Department.

SEC. 7. That duplicates of any evidence, registration, or other acts required by this Act shall be filed with the Department of State for record.

Approved March 2, 1907.

[a] Sec. 1993, Revised Statutes, reads as follows: "All children heretofore born or hereafter born out of the limits and jurisdiction of the United States, whose fathers were or may be at the time of their birth citizens thereof, are declared to be citizens of the United States; but the rights of citizenship shall not descend to children whose fathers never resided in the United States."

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o U.S. - Laws Bureau of Immigration & naturalization.

DEPARTMENT OF COMMERCE AND LABOR

BUREAU OF IMMIGRATION AND NATURALIZATION

Immigration Laws

and

Regulations of July 1, 1907

Sixth Edition, approved June 7, 1909

Embodying Amendments to Rules 10, 26, and Statistical Rule XIX



WASHINGTON

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IMMIGRATION LAWS AND REGULATIONS.

IMMIGRATION ACT OF FEBRUARY 20, 1907.

NOTE.—The Immigration Act of February 20, 1907, repeals the act of March 3, 1903, and all prior acts or parts of acts inconsistent with the new law. In the back of this pamphlet are published such portions of the prior acts as are not repealed by or reenacted in the act of February 20, 1907; also the act of March 2, 1907, regarding expatriation. If necessary to refer to the old acts, they may be found in the pamphlets "Immigration Laws and Regulations" heretofore issued, or in the United States Statutes at Large, as follows:

Note as to acts published herein.

List of immigration acts.

Act approved March 3, 1875: 18 Stat., part 3, page 477.
Act approved August 3, 1882: 22 Stat., page 214.
Act approved June 26, 1884 (sec. 22 only): 23 Stat., page 58.
Act approved February 26, 1885: 23 Stat., page 332.
Act approved February 23, 1887: 24 Stat., page 414.
Act approved October 19, 1888: 25 Stat., page 565.
Act approved March 3, 1891: 26 Stat., page 1084.
Act approved February 15, 1893 (sec. 7): 27 Stat., page 449.
Act approved March 3, 1893: 27 Stat., page 569.
Act approved August 18, 1894: 28 Stat., page 390.
Act approved March 2, 1895: 28 Stat., page 780.
Act approved June 6, 1900: 31 Stat., page 611.
Act approved April 29, 1902: 32 Stat., part 1, page 176.
Act approved March 3, 1903: 32 Stat., part 1, page 1213.
Act approved March 22, 1904: 33 Stat., part 1, page 144.
Act approved April 28, 1904: 33 Stat., part 1, page 591.
Act approved February 3, 1905: 33 Stat., part 1, page 684.

ACT OF FEBRUARY 20, 1907.

AN ACT to regulate the immigration of aliens into the United States.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there shall be levied, collected, and paid a tax of four dollars for every alien entering the United

Head tax:

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Head tax: To whom paid; By whom paid.

States.[a] The said tax shall be paid to the collector of customs of the port or customs district to which said alien shall come, or, if there be no collector at such port or district, then to the collector nearest thereto, by the master, agent, owner, or consignee of the vessel, transportation line, or other conveyance or vehicle bringing such alien to the United States. The money thus collected, together with all fines and rentals[b] collected under the laws regulating the immigration of aliens into the United States, shall be paid into the Treasury of the United States, and shall constitute a permanent appropriation to be called the "immigrant fund," to be used under the direction of the Secretary of Commerce and Labor to defray the expense of regulating the immigration of aliens into the United States under said laws, including the contract labor laws, the cost of reports of decisions of the Federal courts, and digest thereof, for the use of the Commissioner-General of Immigration, and the salaries and expenses of all officers, clerks, and employees appointed to enforce said laws. The tax imposed by this section shall be a lien upon the vessel, or other vehicle of carriage or transportation bringing such aliens to the United States, and shall be a debt in favor of the United States against the owner or owners of such vessel, or other vehicle, and the payment of such tax may be enforced by any legal or equitable remedy. That the said tax shall not be levied upon aliens who shall enter the United States after an uninterrupted residence of at least one year, immediately preceding such entrance, in the Dominion of Canada, Newfoundland, the Republic of Cuba, or the Republic of Mexico, nor upon otherwise admissible residents of any possession of the United States, nor upon aliens in transit through the United States, nor upon aliens who have been lawfully admitted to the United States and who later shall go in transit from one part of the United States to another through foreign contiguous territory:[c] *Provided*, That the Commissioner-General of Immigration, under the direction or with the approval of the Secretary of Commerce and Labor, by agreement with transportation lines, as provided in section thirty-two of this Act, may arrange in some other manner for the payment of the tax imposed by this section upon any or all aliens seeking admission from foreign contiguous territory:[d] *Provided further*, That if in any fiscal year the amount of money collected under the provisions of this section shall exceed two million five hundred thousand dollars, the excess above

Head tax, fines, and rentals, to constitute— Immigrant fund: For what used.

Head tax: To be lien upon vessel; How payment enforced; Classes exempted from payment of;

Payment on account aliens from contiguous territory;

No more than $2,500,000 to go into Immigrant fund;

[a] For specific exceptions, see Rule 2.

[b] For method of depositing fines and rentals, see Rule 3; for procedure in collecting fines and reporting suits for collection, see Rules 28, 29, and 30.

[c] See paragraph (*g*), Rule 2.

[d] See Rules 2, 25, and 27.

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that amount shall not be added to the "immigrant fund:" *Provided further*, That the provisions of this section shall not apply to aliens arriving in Guam, Porto Rico, or Hawaii; but if any such alien, not having become a citizen of the United States, shall later arrive at any port or place of the United States on the North American Continent the provisions of this section shall apply:[a] *Provided further*, That whenever the President shall be satisfied that passports issued by any foreign government to its citizens to go to any country other than the United States or to any insular possession of the United States or to the Canal Zone are being used for the purpose of enabling the holders to come to the continental territory of the United States to the detriment of labor conditions therein, the President may refuse to permit such citizens of the country issuing such passports to enter the continental territory of the United States from such other country or from such insular possessions or from the Canal Zone.[b]

Head tax:

Exceptions—Guam, Porto Rico, and Hawaii.

Passports:

If limited and used to detriment labor conditions, holders to be rejected.

SEC. 2. That the following classes of aliens shall be excluded from admission into the United States: All idiots, imbeciles, feeble-minded persons, epileptics, insane persons, and persons who have been insane within five years previous; persons who have had two or more attacks of insanity at any time previously; paupers; persons likely to become a public charge;[c] professional beggars; persons afflicted with tuberculosis or with a loathsome or dangerous contagious disease;[d] persons not comprehended within any of the foregoing excluded classes who are found to be and are certified by the examining surgeon as being mentally or physically defective, such mental or physical defect being of a nature which may affect the ability of such alien to earn a living;[c] persons who have been convicted of or admit having committed a felony or other crime or misdemeanor involving moral turpitude; polygamists, or persons who admit their belief in the practice of polygamy, anarchists, or persons who believe in or advocate the overthrow by force or violence of the Government of the United States, or of all government, or of all forms of law, or the assassination of public officials; prostitutes, or women or girls coming into the United States for the purpose of prostitution or for any other immoral purpose; persons who procure or attempt to bring in pros-

Excluded classes:

Idiots, insane, etc.;

Paupers, persons likely to become a public charge;

Diseased;

Mentally or physically defective;

Criminals;

Polygamists;

Anarchists;

Prostitutes, etc.;

[a] See Rule 2.

[b] For President's proclamation and regulations drawn thereunder, see Rule 21.

[c] For provisions for landing under bond persons likely to become public charges and persons certified for physical defects, see Rule 20.

[d] For provision for placing in hospital, "with the express permission of the Secretary," persons afflicted with tuberculosis or with a loathsome or dangerous contagious disease, see Rule 10.

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Excluded classes:
titutes or women or girls for the purpose of prostitution or for any other immoral purpose; persons hereinafter
Contract laborers;
called contract laborers, who have been induced or solicited to migrate to this country by offers or promises of employment or in consequence of agreements, oral, written or printed, express or implied, to perform labor in this country of any kind, skilled or unskilled; those who have been, within one year from the date of application for admission to the United States, deported as having been induced or solicited to migrate as above described;
Assisted aliens;
any person whose ticket or passage is paid for with the money of another, or who is assisted by others to come, unless it is affirmatively and satisfactorily shown that such person does not belong to one of the foregoing excluded classes, and that said ticket or passage was not paid for by any corporation, association, society, municipality, or foreign government, either directly or indirectly; all children under sixteen years of age, unaccompanied by one or both of their parents, at the discretion of the Secretary of Commerce and Labor or under such regulations as he may from time to time prescribe:[a] *Provided*, That nothing in this Act shall exclude, if otherwise admissible, persons convicted of an offense purely political, not involving moral turpitude: *Provided further*, That the provisions of this section relating to the payments for tickets or passage by any corporation, association, society, municipality, or foreign government shall not apply to the tickets or passage of aliens in immediate and continuous transit through the United States to foreign contiguous territory: *And provided further*, That skilled labor may be imported if labor of like kind unemployed can not be found in this country: *And provided further*, That the provisions of this law applicable to contract labor shall not be held to exclude professional actors, artists, lecturers, singers, ministers of any religious denomination, professors for colleges or seminaries, persons belonging to any recognized learned profession, or persons employed strictly as personal or domestic servants.

Children under 16;
Exceptions—
Offenses political;
Transits;
Skilled labor;
Actors, artists, etc.

Prostitutes:
Importation or holding penalized;

SEC. 3. That the importation into the United States of any alien woman or girl for the purpose of prostitution, or for any other immoral purpose, is hereby forbidden; and whoever shall, directly or indirectly, import, or attempt to import, into the United States, any alien woman or girl for the purpose of prostitution, or for any other immoral purpose, or whoever shall hold or attempt to hold any alien woman or girl for any such purpose in pursuance of such illegal importation, or whoever shall keep, maintain, control, support, or harbor in any house or other place, for the purpose of prostitution, or for any other immoral purpose, any alien woman or girl, within three years after she shall have entered the United States,

[a] For regulations, see Rule 5.

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Prostitutes:

shall, in every such case, be deemed guilty of a felony, and on conviction thereof be imprisoned not more than five years and pay a fine of not more than five thousand dollars; and any alien woman or girl who shall be found an inmate of a house of prostitution or practicing prostitution, at any time within three years after she shall have entered the United States, shall be deemed to be unlawfully within the United States and shall be deported as provided by sections twenty and twenty-one of this Act.[a]

Deportation of, within three years.

Contract laborers:

Importation of, forbidden;

SEC. 4. That it shall be a misdemeanor for any person, company, partnership, or corporation, in any manner whatsoever, to prepay the transportation or in any way to assist or encourage the importation or migration of any contract laborer or contract laborers into the United States, unless such contract laborer or contract laborers are exempted under the terms of the last two provisos contained in section two of this Act.

Penalty for importing;

SEC. 5. That for every violation of any of the provisions of section four of this Act the person, partnership, company, or corporation violating the same, by knowingly assisting, encouraging, or soliciting the migration or importation of any contract laborer into the United States shall forfeit and pay for every such offense the sum of one thousand dollars, which may be sued for and recovered by the United States, or by any person who shall first bring his action therefor in his own name and for his own benefit, including any such alien thus promised labor or service of any kind as aforesaid, as debts of like amount are now recovered in the courts of the United States; and separate suits may be brought for each alien thus promised labor or service of any kind as aforesaid.[b] And it shall be the duty of the district attorney of the proper district to prosecute every such suit when brought by the United States.

U. S. attorneys to prosecute suits;

Advertising for, forbidden;

SEC. 6. That it shall be unlawful and be deemed a violation of section four of this Act to assist or encourage the importation or migration of any alien by promise of employment through advertisements printed and published in any foreign country; and any alien coming to this country in consequence of such an advertisement shall be treated as coming under promise or agreement as contemplated in section two of this Act, and the penalties imposed by section five of this Act shall be applicable to such a case: *Provided*, That this section shall not apply to States or Territories, the District of Columbia, or places subject to the jurisdiction of the United States advertising the inducements they offer for immigration thereto, respectively.

Exception, in favor States and Territories.

Soliciting:

Forbidden on part transportation companies;

SEC. 7. That no transportation company or owner or owners of vessels, or others engaged in transporting aliens into the United States, shall, directly or indirectly, either by writing, printing, or oral representation, solicit, invite,

[a] See paragraph (c), Rule 31, and Rules 34–38.
[b] For method of reporting, see Rule 30.

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Soliciting: or encourage the immigration of any aliens into the United States, but this shall not be held to prevent transportation companies from issuing letters, circulars, or advertisements, stating the sailings of their vessels and terms and facilities of transportation therein; and for a violation of this provision, any such transportation company, and any such owner or owners of vessels, and all others engaged in transporting aliens into the United Penalty for. States, and the agents by them employed, shall be severally subjected to the penalties imposed by section five of this Act.

Unlawful landing: SEC. 8. That any person, including the master, agent, owner, or consignee of any vessel, who shall bring into Penalty for. or land in the United States, by vessel or otherwise, or who shall attempt, by himself or through another, to bring into or land in the United States, by vessel or otherwise, any alien not duly admitted by an immigrant inspector or not lawfully entitled to enter the United States shall be deemed guilty of a misdemeanor, and shall, on conviction, be punished by a fine not exceeding one thousand dollars, or by imprisonment for a term not exceeding two years, or by both such fine and imprisonment for each and every alien so landed or brought in or attempted to be landed or brought in.[a]

Fine $100: SEC. 9. That it shall be unlawful for any person, in-
For bringing diseased aliens: cluding any transportation company other than railway lines entering the United States from foreign contiguous territory, or the owner, master, agent, or consignee of any vessel to bring to the United States any alien subject to any of the following disabilities: Idiots, imbeciles, epileptics, or persons afflicted with tuberculosis or with a loathsome or dangerous contagious disease, and if it shall appear to the satisfaction of the Secretary of Commerce and Labor that any alien so brought to the United States was afflicted with any of the said diseases or disabilities at the time of foreign embarkation and that the existence of such disease or disability might have been detected by means of a competent medical examination at such time,

Method of collecting. such person or transportation company, or the master, agent, owner, or consignee of any such vessel shall pay to the collector of customs of the customs district in which the port of arrival is located the sum of one hundred dollars for each and every violation of the provisions of this section; and no vessel shall be granted clearance papers pending the determination of the question of the liability to the payment of such fine, and in the event such fine is imposed, while it remains unpaid, nor shall such fine be remitted or refunded: *Provided*, That clearance may be granted prior to the determination of such questions upon the deposit of a sum sufficient to cover such fine and costs, such sum to be named by the Secretary of Commerce and Labor.[b]

[a] For method of reporting, see Rule 30.
[b] For method of imposing, see Rule 28.

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Appeals: Not allowed aliens afflicted with tuberculosis or dangerous contagious diseases.

SEC. 10. That the decision of the board of special inquiry, hereinafter provided for, based upon the certificate of the examining medical officer, shall be final as to the rejection of aliens affected with tuberculosis or with a loathsome or dangerous contagious disease, or with any mental or physical disability which would bring such aliens within any of the classes excluded from admission to the United States under section two of this Act.[a]

Guardian en voyage: Transportation companies to bear expense of.

SEC. 11. That upon the certificate of a medical officer of the United States Public Health and Marine Hospital Service to the effect that a rejected alien is helpless from sickness, mental or physical disability, or infancy, if such alien is accompanied by another alien whose protection or guardianship is required by such rejected alien, such accompanying alien may also be excluded, and the master, agent, owner, or consignee of the vessel in which such alien and accompanying alien are brought shall be required to return said alien and accompanying alien in the same manner as vessels are required to return other rejected aliens.[b]

Manifests: Incoming passengers—

SEC. 12. That upon the arrival of any alien by water at any port within the United States,[c] it shall be the duty of the master or commanding officer of the steamer, sailing or other vessel having said alien on board to deliver to the immigration officers at the port of arrival lists or manifests made at the time and place of embarkation of such alien on board such steamer or vessel, which shall, in answer to questions at the top of said list, state as to each alien the full name, age, and sex; whether married or single; the calling or occupation; whether able to read or write; the nationality; the race; the last residence; the name and address of the nearest relative in the country from which the alien came; the seaport for landing in the United States; the final destination, if any, beyond the port of landing; whether having a ticket through to such final destination; whether the alien has paid his own passage or whether it has been paid by any other person or by any corporation, society, municipality, or government, and if so, by whom; whether in possession of fifty dollars, and if less, how much; whether going to join a relative or friend, and if so, what relative or friend, and his or her name and complete address; whether ever before in the United States, and if so, when and where; whether ever in prison or almshouse or an institution or hospital for the care and treatment of the insane or supported by charity; whether a polygamist; whether an anarchist; whether coming by reason of any offer, solicitation, promise, or agreement, express or implied, to perform labor in the United States,

What to contain;

[a] See Rules 6 and 20; also latter part of section 25.

[b] See Rule 12.

[c] For the procurement of manifests from Canadian transportation companies, see paragraph (*e*), Rule 25.

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Manifests: and what is the alien's condition of health, mental and physical, and whether deformed or crippled, and if so, Outgoing passengers— for how long and from what cause; that it shall further be the duty of the master or commanding officer of every vessel taking alien passengers out of the United States, from any port thereof, to file before departure therefrom with the collector of customs of such port a complete list of all such alien passengers taken on board. What to contain; Such list shall contain the name, age, sex, nationality, residence in the United States, occupation, and the time of last arrival of every such alien in the United States, and no master of any such vessel shall be granted clearance papers for his vessel until he has deposited such list or lists with the collector of customs at the port of departure and made oath that they are full and complete as to the name and other information herein required concerning each alien taken on board his vessel;[a] and any neglect or omission to comply with the requirements of this section shall be punishable as provided in section fifteen of this Act.[b] That the collector of customs with whom any such list has been deposited in accordance with the provisions of this section, shall promptly notify the Commissioner-General of Immigration that such list has been deposited with him as provided, and shall make such further disposition thereof as may be required by regulations to be issued by the Commissioner-General of Immigration with the approval of the Secretary of Commerce and Labor:[c] *Provided*, That in the case of vessels making regular trips to ports of the United States the Commissioner-General of Immigration, with the approval of the Secretary of Commerce and Labor, may, when expedient, arrange for the delivery of such lists of outgoing aliens at a later date:[c] *Provided further*, That it shall be the duty of the master or commanding officer of any vessel sailing from ports in the Philippine Islands, Guam, Porto Rico, or Hawaii to any port of the United States on the North American Continent to deliver to the immigration officers at the port of arrival lists or manifests made at the time and place of embarkation, giving the names of all aliens on board said vessel.[d]

Penalty; With whom deposited; Of aliens from the Philippines, Guam, Porto Rico, and Hawaii;

How made up; SEC. 13. That all aliens arriving by water at the ports of the United States shall be listed in convenient groups, and no one list or manifest shall contain more than thirty names. To each alien or head of a family shall be given a ticket on which shall be written his name, a number or letter designating the list in which his name, and so forth, is contained, and his number on said list, for convenience

[a] For the procurement of manifests from Canadian transportation companies, see paragraph (*e*), Rule 25.
[b] For method of imposing fine, see Rule 29.
[c] See Rule XXIX, statistical regulations.
[d] See paragraphs (*b*) and (*c*), Rule I, statistical regulations.

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of identification on arrival. Each list or manifest shall be verified by the signature and the oath of affirmation of the master or commanding officer, or the first or second below him in command, taken before an immigration officer at the port of arrival, to the effect that he has caused the surgeon of said vessel sailing therewith to make a physical and oral examination of each of said aliens, and that from the report of said surgeon and from his own investigation he believes that no one of said aliens is an idiot, or imbecile, or a feeble-minded person, or insane person, or a pauper, or is likely to become a public charge, or is afflicted with tuberculosis or with a loathsome or dangerous contagious disease, or is a person who has been convicted of, or who admits having committed a felony or other crime or misdemeanor involving moral turpitude, or is a polygamist or one admitting belief in the practice of polygamy, or an anarchist, or under promise or agreement, express or implied, to perform labor in the United States, or a prostitute, or a woman or girl coming to the United States for the purpose of prostitution, or for any other immoral purpose, and that also, according to the best of his knowledge and belief, the information in said lists or manifests concerning each of said aliens named therein is correct and true in every respect.

Manifests: To be signed and sworn to by master, as to correctness of contents;

SEC. 14. That the surgeon of said vessel sailing therewith shall also sign each of said lists or manifests and make oath or affirmation in like manner before an immigration officer at the port of arrival, stating his professional experience and qualifications as a physician and surgeon, and that he has made a personal examination of each of the said aliens named therein, and that the said list or manifest, according to the best of his knowledge and belief, is full, correct, and true in all particulars relative to the mental and physical condition of said aliens. If no surgeon sails with any vessel bringing aliens the mental and physical examinations and the verifications of the lists or manifests shall be made by some competent surgeon employed by the owners of the said vessel.[a]

To be signed and sworn to by surgeon;

SEC. 15. That in the case of the failure of the master or commanding officer of any vessel to deliver to the said immigration officers lists or manifests of all aliens on board thereof, as required in sections twelve, thirteen, and fourteen of this Act, he shall pay to the collector of customs at the port of arrival the sum of ten dollars for each alien concerning whom the above information is not contained in any list as aforesaid: *Provided*, That in the case of failure without good cause to deliver the list of passengers required by section twelve of this Act from the master or commanding officer of every vessel taking alien passengers out of the United States, the penalty shall be paid to the collector of customs at the port of departure

Incoming passengers—

Penalty of $10;

Outgoing passengers—

Penalty of $10;

[a] See paragraph (*g*), Rule 29.

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Manifests: Aggregate fines not to exceed $100.

and shall be a fine of ten dollars for each alien not included in said list; but in no case shall the aggregate fine exceed one hundred dollars.[a]

Inspection: On board vessel; Landing for, not actual landing;

SEC. 16. That upon the receipt by the immigration officers at any port of arrival of the lists or manifests of incoming aliens provided for in sections twelve, thirteen, and fourteen of this Act, it shall be the duty of said officers to go or to send competent assistants to the vessel to which said lists or manifests refer, and there inspect all such aliens, or said immigration officers may order a temporary removal of such aliens for examination at a designated time and place, but such temporary removal shall not be considered a landing, nor shall it relieve the transportation lines, masters, agents, owners, or consignees of the vessel upon which said aliens are brought to any port of the United States from any of the obligations which, in case such aliens remain on board, would, under the provisions of this Act, bind the said transportation lines, masters, agents, owners, or consignees: *Provided*, That where a suitable building is used for the detention and examination of aliens the immigration officials shall there take charge of such aliens, and the transportation companies, masters, agents, owners, and consignees of the vessels bringing such aliens shall be relieved of the responsibility for their detention thereafter until the return of such aliens to their care.

If placed in station, immigration officers responsible.

Medical examination: To be made by P. H. and M. H. surgeons;

SEC. 17. That the physical and mental examination of all arriving aliens shall be made by medical officers of the United States Public Health and Marine-Hospital Service, who shall have had at least two years' experience in the practice of their profession since receiving the degree of doctor of medicine and who shall certify for the information of the immigration officers and the boards of special inquiry hereinafter provided for, any and all physical and mental defects or diseases observed by said medical officers in any such alien,[b] or, should medical officers of the United States Public Health and Marine-Hospital Service be not available, civil surgeons of not less than four years' professional experience may be employed in such emergency for such service, upon such terms as may be prescribed by the Commissioner-General of Immigration under the direction or with the approval of the Secretary of Commerce and Labor. The United States Public Health and Marine-Hospital Service shall be reimbursed by the immigration service for all expenditures incurred in carrying out the medical inspection of aliens under regulations of the Secretary of Commerce and Labor.

P. H. and M. H. Service to be reimbursed for surgeons' salaries.

Unlawful landing:

SEC. 18. That it shall be the duty of the owners, officers, or agents of any vessel or transportation line, other than

[a] For procedure, see Rule 29.
[b] See Rule 9.

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those railway lines which may enter into a contract as provided in section thirty-two of this Act, bringing an alien to the United States to prevent the landing of such alien in the United States at any time or place other than as designated by the immigration officers, and the negligent failure of any such owner, officer, or agent to comply with the foregoing requirements shall be deemed a misdemeanor and be punished by a fine in each case of not less than one hundred nor more than one thousand dollars or by imprisonment for a term not exceeding one year, or by both such fine and imprisonment;[a] and every such alien so landed shall be deemed to be unlawfully in the United States and shall be deported as provided in sections twenty and twenty-one of this Act.[b]

Unlawful landing:
Exception under sec. 32;
Penalty for;
Deportation of aliens so landed.

SEC. 19. That all aliens brought to this country in violation of law shall, if practicable, be immediately sent back to the country whence they respectively came on the vessels bringing them. The cost of their maintenance while on land, as well as the expense of the return of such aliens, shall be borne by the owner or owners of the vessels on which they respectively came; and if any master, person in charge, agent, owner, or consignee of any such vessel shall refuse to receive back on board thereof, or on board of any other vessel owned or operated by the same interests, such aliens, or shall fail to detain them thereon, or shall refuse or fail to return them to the foreign port from which they came, or to pay the cost of their maintenance while on land, or shall make any charge for the return of any such alien, or shall take any security from him for the payment of such charge, such master, person in charge, agent, owner, or consignee shall be deemed guilty of a misdemeanor and shall, on conviction, be punished by a fine of not less than three hundred dollars for each and every such offense; and no vessel shall have clearance from any port of the United States while any such fine is unpaid:[a] *Provided*, That the Commissioner-General of Immigration, with the approval of the Secretary of Commerce and Labor, may suspend, upon conditions to be prescribed by the Commissioner-General of Immigration, the deportation of any alien found to have come in violation of any provision of this Act, if, in his judgment, the testimony of such alien is necessary on behalf of the United States Government in the prosecution of offenders against any provision of this Act: *Provided*, That the cost of maintenance of any person so detained resulting from such suspension of deportation shall be paid from the "immigrant fund"[c] but no alien certified, as provided in section seventeen of this Act, to be suffering from tuberculosis or from a loathsome or dangerous contagious disease other than one of quaran-

Deportation:
By vessel bringing;
Cost of, and of detention, to be borne by steamship companies;
Penalty for failure to hold, deport, or maintain;
Penalty for taking security.
Witnesses:
Authority to hold;
Cost paid from immigrant fund.
Hospital treatment — by express permission of Secretary:
Of those suffering with tuberculosis or loathsome or dangerous disease.

[a] For method of reporting, see Rule 30.
[b] See paragraph (*d*), Rule 31, and Rules 34–38.
[c] See Rule 14.

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tinable nature shall be permitted to land for medical treatment thereof in any hospital in the United States, unless with the express permission of the Secretary of Commerce and Labor:[a] *Provided*, That upon the certificate of a medical officer of the United States Public Health and Marine-Hospital Service to the effect that the health or safety of an insane alien would be unduly imperiled by immediate deportation, such alien may, at the expense of the "immigrant fund," be held for treatment until such time as such alien may, in the opinion of such medical officer, be safely deported.[a]

Insane aliens:
Holding for treatment, expense immigrant fund.

Deportation:
Unlawful residents and public charges;

SEC. 20. That any alien who shall enter the United States in violation of law, and such as become public charges from causes existing prior to landing, shall, upon the warrant of the Secretary of Commerce and Labor, be taken into custody and deported to the country whence he came at any time within three years after the date of his entry into the United States. Such deportation, including one-half of the entire cost of removal to the port of deportation, shall be at the expense of the contractor, procurer, or other person by whom the alien was unlawfully induced to enter the United States, or, if that can not be done, then the cost of removal to the port of deportation shall be at the expense of the "immigrant fund" provided for in section one of this Act, and the deportation from such port shall be at the expense of the owner or owners of such vessel or transportation line by which such aliens respectively came:[b] *Provided*, That pending the final disposal of the case of any alien so taken into custody he may be released under a bond in the penalty of not less than five hundred dollars with security approved by the Secretary of Commerce and Labor, conditioned that such alien shall be produced when required for a hearing or hearings in regard to the charge upon which he has been taken into custody, and for deportation if he shall be found to be unlawfully within the United States.[c]

How expense of, to be borne.

Bond:
Releasing arrested aliens on.

Deportation:
Of aliens subject thereto;

SEC. 21. That in case the Secretary of Commerce and Labor shall be satisfied that an alien has been found in the United States in violation of this Act, or that an alien is subject to deportation under the provisions of this Act or of any law of the United States, he shall cause such alien within the period of three years after landing or entry therein to be taken into custody and returned to the country whence he came, as provided by section twenty of this Act,[b] and a failure or refusal on the part of the masters, agents, owners, or consignees of vessels to comply with the order of the Secretary of Commerce and Labor to take on board, guard safely, and return to the country whence he came any alien ordered to be deported

Penalty against vessels for refusal to deport on warrant;

[a] See Rule 10.
[b] See Rules 31–37.
[c] See paragraph (*g*), Rule 35.

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Deportation:

under the provisions of this Act shall be punished by the imposition of the penalties prescribed in section nineteen of this Act:[a] *Provided*, That when in the opinion of the Secretary of Commerce and Labor the mental or physical condition of such alien is such as to require personal care and attendance, he may employ a suitable person for that purpose, who shall accompany such alien to his or her final destination, and the expense incident to such service shall be defrayed in like manner.[b]

Attendants for deported persons.

Commissioner-General:

Duties of;

SEC. 22. That the Commissioner-General of Immigration, in addition to such other duties as may by law be assigned to him, shall, under the direction of the Secretary of Commerce and Labor, have charge of the administration of all laws relating to the immigration of aliens into the United States, and shall have the control, direction, and supervision of all officers, clerks, and employees appointed thereunder. He shall establish such rules and regulations, prescribe such forms of bond, reports, entries, and other papers, and shall issue from time to time such instructions, not inconsistent with law, as he shall deem best calculated for carrying out the provisions of this Act and for protecting the United States and aliens migrating thereto from fraud and loss, and shall have authority to enter into contract for the support and relief of such aliens as may fall into distress or need public aid; all under the direction or with the approval of the Secretary of Commerce and Labor. And it shall be the duty of the Commissioner-General of Immigration to detail officers of the immigration service from time to time as may be necessary, in his judgment, to secure information as to the number of aliens detained in the penal, reformatory, and charitable institutions (public and private) of the several States and Territories, the District of Columbia, and other territory of the United States and to inform the officers of such institutions of the provisions of law in relation to the deportation of aliens who have become public charges: *Provided*, That the Commissioner-General of Immigration may, with the approval of the Secretary of Commerce and Labor, whenever in his judgment such action may be necessary to accomplish the purposes of this Act, detail immigration officers, and also surgeons, in accordance with the provisions of section seventeen, for service in foreign countries.

To make contracts for relief of aliens;

To detail officers to investigate public charges;

To detail officers abroad.

Commissioners:

Duties of.

SEC. 23. That the duties of the commissioners of immigration shall be of an administrative character, to be prescribed in detail by regulations prepared, under the direction or with the approval of the Secretary of Commerce and Labor.

Employees:

Appointing and promoting.

SEC. 24. That immigrant inspectors and other immigration officers, clerks, and employees shall hereafter be appointed and their compensation fixed and raised or de-

[a] For method of reporting, see Rule 30.
[b] For procedure for providing attendant, see Rule 37.

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creased from time to time by the Secretary of Commerce and Labor, upon the recommendation of the Commissioner-General of Immigration and in accordance with the provisions of the civil-service Act of January sixteenth, eighteen hundred and eighty-three: *Provided*, That said Secretary, in the enforcement of that portion of this Act which excludes contract laborers, may employ, without reference to the provisions of the said civil service Act, or to the various Acts relative to the compilation of the official register, such persons as he may deem advisable and from time to time fix, raise, or decrease their compensation. He may draw from the "immigrant fund" annually fifty thousand dollars or as much thereof as may be necessary, to be expended for the salaries and expenses of persons so employed and for expenses incident to such employment; and the accounting officers of the Treasury shall pass to the credit of the proper disbursing officer expenditures from said sum without itemized account whenever the Secretary of Commerce and Labor certifies that an itemized account would not be for the best interests of the Government: *Provided further*, That nothing herein contained shall be construed to alter the mode of appointing commissioners of immigration at the several ports of the United States as provided by the sundry civil appropriation Act approved August eighteenth, eighteen hundred and ninety-four, or the official status of such commissioners heretofore appointed.

Contract labor laws:
Special provision for enforcement of.

Commissioners:
Appointing.

Immigration officers:
Power and authority of;

Immigration officers shall have power to administer oaths and to take and consider evidence touching the right of any alien to enter the United States, and, where such action may be necessary, to make a written record of such evidence; and any person to whom such an oath has been administered under the provisions of this Act who shall knowingly or wilfully give false evidence or swear to any false statement in any way affecting or in relation to the right of any alien to admission to the United States shall be deemed guilty of perjury and be punished as provided by section fifty-three hundred and ninety-two, United States Revised Statutes. The decision of any such officer, if favorable to the admission of any alien, shall be subject to challenge by any other immigration officer, and such challenge shall operate to take the alien whose right to land is so challenged before a board of special inquiry for its investigation. Every alien who may not appear to the examining immigrant inspector at the port of arrival to be clearly and beyond a doubt entitled to land shall be detained for examination in relation thereto by a board of special inquiry.

False swearing before, perjury;

Challenging decision of.

Boards of special inquiry:
Detaining aliens for;

Appointing;

SEC. 25. That such boards of special inquiry shall be appointed by the commissioner of immigration at the various ports of arrival as may be necessary for the prompt determination of all cases of immigrants detained at such ports under the provisions of law.[a] Each

[a] See Rule 17 for form of oath of board member.

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board shall consist of three members, who shall be selected from such of the immigrant officials in the service as the Commissioner-General of Immigration, with the approval of the Secretary of Commerce and Labor, shall from time to time designate as qualified to serve on such boards: *Provided*, That at ports where there are fewer than three immigrant inspectors, the Secretary of Commerce and Labor, upon the recommendation of the Commissioner-General of Immigration, may designate other United States officials for service on such boards of special inquiry. Such boards shall have authority to determine whether an alien who has been duly held shall be allowed to land or shall be deported. All hearings before boards shall be separate and apart from the public, but the said boards shall keep a complete permanent record of their proceedings and of all such testimony as may be produced before them; and the decision of any two members of a board shall prevail, but either the alien or any dissenting member of the said board may appeal through the commissioner of immigration at the port of arrival and the Commissioner-General of Immigration to the Secretary of Commerce and Labor, and the taking of such appeal shall operate to stay any action in regard to the final disposal of any alien whose case is so appealed until the receipt by the commissioner of immigration at the port of arrival of such decision which shall be rendered solely upon the evidence adduced before the board of special inquiry: *Provided*, That in every case where an alien is excluded from admission into the United States, under any law or treaty now existing or hereafter made, the decision of the appropriate immigration officers, if adverse to the admission of such alien, shall be final, unless reversed on appeal to the Secretary of Commerce and Labor; but nothing in this section shall be construed to admit of any appeal in the case of an alien rejected as provided for in section ten of this Act.[a]

Boards of special inquiry:
Other officials for;
Authority of;
Hearings before, private.
Appeals:
Manner of taking;
Decision on, based solely upon original evidence;
Unless taken, decision of officers final;
Not allowed in cases rejected under section 10.

SEC. 26. That any alien liable to be excluded because likely to become a public charge or because of physical disability other than tuberculosis or a loathsome or dangerous contagious disease may, if otherwise admissible, nevertheless be admitted in the discretion of the Secretary of Commerce and Labor upon the giving of a suitable and proper bond or undertaking, approved by said Secretary in such amount and containing such conditions as he may prescribe, to the people of the United States, holding the United States or any State, Territory, county, municipality, or district thereof harmless against such alien becoming a public charge. The admission of such alien shall be a consideration for the giving of such bond or undertaking. Suit may be brought thereon in the name and by the proper law officers either of the United States Government or of any State, Territory, district,

Bonds:
Landing under;
In what cases permissible;
Bringing suits upon.

[a] See Rules 5–8.

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county, or municipality in which such alien becomes a public charge.[a]

Suits: Compromising, etc.;

SEC. 27. That no suit or proceeding for a violation of the provisions of this Act shall be settled, compromised, or discontinued without the consent of the court in which it is pending, entered of record, with the reasons therefor.

Under former acts not affected hereby.

SEC. 28. That nothing contained in this Act shall be construed to affect any prosecution, suit, action, or proceedings brought, or any act, thing, or matter, civil or criminal, done or existing at the time of the taking effect of this Act; but as to all such prosecutions, suits, actions, proceedings, acts, things, or matters the laws or parts of laws repealed or amended by this Act are hereby continued in force and effect.

Courts, circuit and district: Jurisdiction.

SEC. 29. That the circuit and district courts of the United States are hereby invested with full and concurrent jurisdiction of all causes, civil and criminal, arising under any of the provisions of this Act.

Exclusive privileges: How granted;

SEC. 30. That all exclusive privileges of exchanging money, transporting passengers or baggage, or keeping eating houses, and all other like privileges in connection with any United States immigrant station, shall be disposed of after public competition, subject to such conditions and limitations as the Commissioner-General of Immigration, under the direction or with the approval of the Secretary of Commerce and Labor, may prescribe: *Provided*, That no intoxicating liquors shall be sold in any such immigrant station; that all receipts accruing from the disposal of such exclusive privileges as herein provided shall be paid into the Treasury of the United States to the credit of the "immigrant fund" provided for in section one of this Act.

Proceeds from, to be paid into immigrant fund.

Peace officers: Admission to stations.

SEC. 31. That for the preservation of the peace and in order that arrests may be made for crimes under the laws of the States and Territories of the United States where the various immigrant stations are located, the officers in charge of such stations, as occasion may require, shall admit therein the proper State and municipal officers charged with the enforcement of such laws, and for the purpose of this section the jurisdiction of such officers and of the local courts shall extend over such stations.

Commissioner-General: To make rules and contracts for inspection on land boundaries.

SEC. 32. That the Commissioner-General of Immigration, under the direction or with the approval of the Secretary of Commerce and Labor, shall prescribe rules for the entry and inspection of aliens along the borders of Canada and Mexico, so as not to unnecessarily delay, impede, or annoy passengers in ordinary travel between the United States and said countries, and shall have power to enter into contracts with transportation lines for the said purpose.[b]

[a] See Rule 20 as to circumstances under which accepted.

[b] For arrangement on Canadian border, see Rule 25; on Mexican border, Rule 27.

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"United States:" Meaning of term.

SEC. 33. That for the purpose of this Act the term "United States" as used in the title as well as in the various sections of this Act shall be construed to mean the United States and any waters, territory, or other place subject to the jurisdiction thereof, except the Isthmian Canal Zone: *Provided*, That if any alien shall leave the canal zone and attempt to enter any other place under the jurisdiction of the United States, nothing contained in this Act shall be construed as permitting him to enter under any other conditions than those applicable to all aliens.

Canal Zone: Inspection of aliens from.

Commissioner: Appointment of, at New Orleans.

SEC. 34. That the Commissioner-General of Immigration, with the approval of the Secretary of Commerce and Labor, may appoint a commissioner of immigration to discharge at New Orleans, Louisiana, the duties now required of other commissioners of immigration at their respective posts.

Deportation: To be to transoceanic ports;

SEC. 35. That the deportation of aliens arrested within the United States after entry and found to be illegally therein, provided for in this Act, shall be to the trans-Atlantic or trans-Pacific ports from which said aliens embarked for the United States; or, if such embarkation was for foreign contiguous territory, to the foreign port at which said aliens embarked for such territory.

Of aliens entering unlawfully.

SEC. 36. That all aliens who shall enter the United States except at the seaports thereof, or at such place or places as the Secretary of Commerce and Labor may from time to time designate, shall be adjudged to have entered the country unlawfully and shall be deported as provided by sections twenty and twenty-one of this Act: *Provided*, That nothing contained in this section shall affect the power conferred by section thirty-two of this Act upon the Commissioner-General of Immigration to prescribe rules for the entry and inspection of aliens along the borders of Canada and Mexico.[a]

Ports of entry: To be designated on land borders.

Admission: Of diseased wife or minor children of alien who has declared intention to become citizen.

SEC. 37. That whenever an alien shall have taken up his permanent residence in this country, and shall have filed his declaration of intention to become a citizen, and thereafter shall send for his wife, or minor children to join him, if said wife or any of said children shall be found to be affected with any contagious disorder, such wife or children shall be held, under such regulations as the Secretary of Commerce and Labor shall prescribe, until it shall be determined whether the disorder will be easily curable, or whether they can be permitted to land without danger to other persons; and they shall not be either admitted or deported until such facts have been ascertained; and if it shall be determined that the disorder is easily curable or that they can be permitted to land without danger to other persons, they shall, if otherwise admissible, thereupon be admitted.[b]

[a] See Rule 38; also paragraph (*g*), Rule 21.
[b] See Rule 11.

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Anarchists: Not to be admitted;

SEC. 38. That no person who disbelieves in or who is opposed to all organized government, or who is a member of or affiliated with any organization entertaining and teaching such disbelief in or opposition to all organized government, or who advocates or teaches the duty, necessity, or propriety of the unlawful assaulting or killing of any officer or officers, either of specific individuals or of officers generally, of the Government of the United States or of any other organized government, because of his or their official character, shall be permitted to enter the United States or any territory or place subject to the jurisdiction thereof. This section shall be enforced by the Secretary of Commerce and Labor under such rules and regulations as he shall prescribe. That any person who knowingly aids or assists any such person to enter the United States or any territory or place subject to the jurisdiction thereof, or who connives or conspires with any person or persons to allow, procure, or permit any such person to enter therein, except pursuant to such rules and regulations made by the Secretary of Commerce and Labor shall be fined not more than five thousand dollars, or imprisoned for not more than five years, or both.[a]

Penalty for assisting to enter.

Immigration Commission: How appointed;

SEC. 39. That a commission is hereby created, consisting of three Senators, to be appointed by the President of the Senate, and three members of the House of Representatives, to be appointed by the Speaker of the House of Representatives, and three persons, to be appointed by the President of the United States. Said commission shall make full inquiry, examination, and investigation by sub-committee or otherwise into the subject of immigration. For the purpose of said inquiry, examination, and investigation, said commission is authorized to send for persons and papers, make all necessary travel, either in the United States or any foreign country, and, through the chairman of the commission or any member thereof to administer oaths and to examine witnesses and papers respecting all matters pertaining to the subject, and to employ necessary clerical and other assistance. Said commission shall report to the Congress the conclusions reached by it and make such recommendations as in its judgment may seem proper. Such sums of money as may be necessary for the said inquiry, examination, and investigation are hereby appropriated and authorized to be paid out of the "immigrant fund" on the certificate of the chairman of said commission, including all expenses of the commissioners and a reasonable compensation, to be fixed by the President of the United States, for those members of the commission who are not members of Congress; and the President of the United States is also authorized, in the name of the Government of the United States, to call, in his discretion, an international conference, to assemble at such point as may be agreed upon, or

Authority and duties;

Expenses of, how paid.

International Conference:

President authorized to arrange for;

[a] For method of reporting, see Rule 30.

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to send special commissioners to any foreign country, for the purpose of regulating by international agreement, subject to the advice and consent of the Senate of the United States, the immigration of aliens to the United States; of providing for the mental, moral, and physical examination of such aliens by American consuls or other officers of the United States Government at the ports of embarkation, or elsewhere; of securing the assistance of foreign governments in their own territories to prevent the evasion of the laws of the United States governing immigration to the United States; of entering into such international agreements as may be proper to prevent the immigration of aliens who, under the laws of the United States, are or may be excluded from entering the United States, and of regulating any matters pertaining to such immigration.

International Conference: Purpose of.

SEC. 40. Authority is hereby given the Commissioner-General of Immigration to establish, under the direction and control of the Secretary of Commerce and Labor, a division of information in the Bureau of Immigration and Naturalization; and the Secretary of Commerce and Labor shall provide such clerical assistance as may be necessary. It shall be the duty of said division to promote a beneficial distribution of aliens admitted into the United States among the several States and Territories desiring immigration. Correspondence shall he had with the proper officials of the States and Territories, and said division shall gather from all available sources useful information regarding the resources, products, and physical characteristics of each State and Territory, and shall publish such information in different languages and distribute the publications among all admitted aliens who may ask for such information at the immigrant stations of the United States and to such other persons as may desire the same. When any State or Territory appoints and maintains an agent or agents to represent it at any of the immigrant stations of the United States, such agents shall, under regulations prescribed by the Commissioner-General of Immigration, subject to the approval of the Secretary of Commerce and Labor, have access to aliens who have been admitted to the United States for the purpose of presenting, either orally or in writing, the special inducements offered by such State or Territory to aliens to settle therein. While on duty at any immigrant station such agents shall be subject to all the regulations prescribed by the Commissioner-General of Immigration, who, with the approval of the Secretary of Commerce and Labor, may, for violation of any such regulations, deny to the agent guilty of such violation any of the privileges herein granted.

Information division: Establishment of; Duties and authority of.

State agents: Appointment and stationing at ports; Courtesies to; Control of.

SEC. 41. That nothing in this Act shall be construed to apply to accredited officials of foreign governments nor to their suites, families, or guests.[a]

Foreign officials: Exempted from provisions hereof.

[a] See paragraph (*b*), Rule 2.

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Amendatory of navigation act.

SEC. 42. It shall not be lawful for the master of a steamship or other vessel whereon immigrant passengers, or passengers other than cabin passengers, have been taken at any port or place in a foreign country or dominion (ports and places in foreign territory contiguous to the United States excepted) to bring such vessel and passengers to any port or place in the United States unless the compartments, spaces, and accommodations hereinafter mentioned have been provided, allotted, maintained, and used for and by such passengers during the entire voyage; that is to say, in a steamship, the compartments or spaces, unobstructed by cargo, stores, or goods, shall be of sufficient dimensions to allow for each and every passenger carried or brought therein eighteen clear superficial feet of deck allotted to his or her use, if the compartment or space is located on the main deck or on the first deck next below the main deck of the vessel, and twenty clear superficial feet of deck allotted to his or her use for each passenger carried or brought therein if the compartment or space is located on the second deck below the main deck of the vessel: *Provided*, That if the height between the lower passenger deck and the deck immediately above it is less than seven feet, or if the apertures (exclusive of the side scuttles) through which light and air are admitted together to the lower passenger deck are less in size than in the proportion of three square feet to every one hundred superficial feet of that deck, the ship shall not carry a greater number of passengers on that deck than in the proportion of one passenger to every thirty clear superficial feet thereof. It shall not be lawful to carry or bring passengers on any deck other than the decks above mentioned. And in sailing vessels such passengers shall be carried or brought only on the deck (not being an orlop deck) that is next below the main deck of the vessel, or in a poop or deck house constructed on the main deck; and the compartment or space, unobstructed by cargo, stores, or goods, shall be of sufficient dimensions to allow one hundred and ten cubic feet for each and every passenger brought therein. And such passenger shall not be carried or brought in any between decks, nor in any compartment, space, poop, or deck house, the height of which from deck to deck is less than six feet. In computing the number of such passengers carried or brought in any vessel, children under one year of age shall not be included, and two children between one and eight years of age shall be counted as one passenger; and any person brought in any such vessel who shall have been, during the voyage, taken from any other vessel wrecked or in distress on the high seas, or have been picked up at sea from any boat, raft, or otherwise, shall not be included in such computation. The master of a vessel coming to a port or place in the United States in violation of either of the provisions of this section shall be deemed guilty of a misdemeanor; and if the

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number of passengers other than cabin passengers carried or brought in the vessel, or in any compartment, space, poop, or deck house thereof, is greater than the number allowed to be carried or brought therein, respectively, as hereinbefore prescribed, the said master shall be fined fifty dollars for each and every passenger in excess of the proper number, and may also be imprisoned not exceeding six months. Amendatory of navigation act.

This section shall take effect on January first, nineteen hundred and nine.

SEC. 43. That the Act of March third, nineteen hundred and three, being an Act to regulate the immigration of aliens into the United States, except section thirty-four thereof, and the Act of March twenty-second, nineteen hundred and four, being an Act to extend the exemption from head tax to citizens of Newfoundland entering the United States, and all Acts and parts of Acts inconsistent with this Act are hereby repealed: *Provided*, That this Act shall not be construed to repeal, alter, or amend existing laws relating to the immigration or exclusion of Chinese persons or persons of Chinese descent, nor to repeal, alter, or amend section six, chapter four hundred and fifty-three, third session Fifty-eighth Congress, approved February sixth, nineteen hundred and five, or, prior to January first, nineteen hundred and nine, section one of the Act approved August second, eighteen hundred and eighty-two, entitled "An Act to regulate the carriage of passengers by sea." Repealing clause: Exceptions.

SEC. 44. That this Act shall take effect and be enforced from and after July first, nineteen hundred and seven: *Provided, however*, That section thirty-nine of this Act and the last proviso of section one shall take effect upon the passage of this Act and section forty-two on January first, nineteen hundred and nine. When effective.

Approved February 20, 1907. (34 Stat., pt. 1, p. 898.)

EXTRACT FROM THE SUNDRY CIVIL APPROPRIATION ACT APPROVED MARCH 4, 1909.[a]

"In all, one million two hundred and sixty-six thousand seven hundred and fifty dollars, *which shall include the amount necessary for the medical inspection of aliens, as required by section seventeen of the Act of Congress approved February twentieth, nineteen hundred and seven, and the provision of said section of said Act requiring the reimbursement by the immigration fund for said expenses is hereby repealed.*"

[a] Under caption "Public Health and Marine Hospital Service" (35 Stat., 969).

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ACT APPROVED MARCH 4, 1909.

AN ACT relative to outward alien manifests on certain vessels.[a]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That until the provisions of section twelve of the immigration Act of February twentieth, nineteen hundred and seven, relating to outward alien manifests, shall be made applicable to passengers going out of the United States to Canada by land carriage, said provisions shall not apply to passengers going by vessels employed exclusively in the trade between the ports of the United States and the Dominion of Canada and the Republic of Mexico.

Approved, March 4, 1909.

[a] 35 Stat., 1060.

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IMMIGRATION REGULATIONS.

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DEPARTMENT OF COMMERCE AND LABOR,
BUREAU OF IMMIGRATION AND NATURALIZATION.

Note: Meaning of terms employed.

NOTE.—Wherever, in the following rules, the expression "Immigration Act" is used, it shall be understood to refer to the act entitled "An act to regulate the immigration of aliens into the United States," approved February 20, 1907; and wherever a numbered section is mentioned it shall be understood to refer to the section of that number in said act, unless explicitly stated to the contrary.

Philippine Islands: Regulations not applicable to.

The following rules do not apply to aliens seeking admission to the Philippine Islands, the administration of the immigration laws and the collection of head tax therein having been vested in the officers of the general government of those islands by section 6 of the act approved February 6, 1905.

RULES RELATING TO HEAD TAX.

Head tax: Collection of;

RULE 1. *Collection of head tax.*—The head tax imposed by section 1 of the Immigration Act is to be levied and collected in respect of all aliens entering the United States, except such as are described in Rule 2 hereof.

Certification of, to collector;

Upon the arrival of any aliens at any seaport of the United States, the immigration officer in charge shall certify to the collector of customs the number of aliens on account of whom the tax is payable and the name of the person required to pay the same. Upon receipt of such certificate, the collector of customs shall forthwith collect a tax of four dollars for each alien so certified.

Deposit of;

The tax collected on account of aliens, who are not permitted to land, but are held for examination by a board

Refundment of;

of special inquiry, and the tax collected on account of aliens permitted to enter for the purpose of passing in transit through the United States, shall be held as a special deposit, to be refunded, in the one case, when an alien detained for examination has been excluded, and in the other, when an alien proceeding in transit through the United States has left the country. The collections so

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made shall no longer be held on special deposit, but shall be accounted for in the regular manner, in the case of aliens detained for examination, so soon as it shall appear that they are admitted, and, in the case of aliens entering for the purpose of transit, if, at the expiration of sixty days from time of entry, it is not shown that they have passed out of the country. Head tax:

The head tax payable on account of aliens entering the United States from foreign contiguous territory shall be levied and collected, at Mexican border ports, according to the provisions of Rule 27 hereof, and at Canadian border ports according to the terms of an agreement between the Commissioner-General of Immigration and certain transportation companies, embodied in Rules 24 and 25 hereof. Collection of, on Mexican and Canadian borders;

RULE 2. *Exemptions from head tax.*—The head tax shall not be levied in respect of the following aliens: *Exemptions from—*

(*a*) Aliens who do not enter the United States because excluded from admission thereto by the Immigration Act. (Secs. 1 and 2.) Excluded aliens—

(*b*) Diplomatic and consular officers and other accredited officials of foreign governments, their suites, families, and guests coming to the United States to reside or to pass through in transit. (Sec. 41.) Diplomatic officers—

(*c*) Head tax shall not be collected on account of aliens entering the United States from Canada, Newfoundland, Cuba, or Mexico whose legal domicile or bona fide residence was in one of the countries specified for at least one year immediately preceding such entrance if it merely appears that the continuity of their physical presence at their place of residence or domicile was broken by one or more transient and temporary departures therefrom; nor shall head tax be collected on account of such aliens if it merely appears that, instead of entering the United States from Canada, Newfoundland, Cuba or Mexico directly, they come by way of some other foreign country in which they had made a merely temporary or transient sojourn. Residents Canada, Newfoundland, Cuba, and Mexico—

(*d*) Head tax shall not be collected on account of aliens reentering the United States from Canada, Newfoundland, Cuba, or Mexico who are citizens thereof but who have acquired a legal domicile or bona fide residence in the United States, and who are returning from a visit to one of the said countries, notwithstanding that the period of a full year has not intervened between the date of their departure from and the date of their return to the United States.

(*e*) Aliens, otherwise admissible, who are residents of any possession of the United States, provided at the time of admission to such possession head tax was paid on their account. (Sec. 1.) Residents insular possessions—

(*f*) Aliens who enter the United States only for the purpose of transit to foreign destinations. Collections made in respect of such aliens will be held on special de- Transits—

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Head tax:

posit and will be refunded pursuant to Rules 1 and 41. (Sec. 1.)

Aliens in continuous journey—

(*g*) Aliens who have been lawfully admitted to the United States and who later shall go in transit from one part of the United States to another through foreign contiguous territory. Satisfactory evidence of such previous lawful admission and of previous payment of head tax shall be required in the case of aliens on whose behalf this exemption is claimed, as in paragraphs (*c*) and (*d*) of this rule. Personal knowledge on the part of an immigration officer, or a written statement from such an officer based on an examination of official records certifying to the fact of previous entry and payment of tax, will be sufficient. As evidence of the continuity of the transit, production of a dated passenger ticket, where such exists, may be required. (Sec. 1.)

At ports of Guam, Porto Rico, and Hawaii.

(*h*) Aliens arriving in Guam, Porto Rico, or Hawaii; but if any such alien, not having become a citizen of the United States, shall later arrive at any port or place of the United States on the North American Continent the provisions for the levy and collection of head tax shall apply. (Sec. 1.)

Immigrant fund:

RULE 3. *Accounting for head tax and other receipts.*—

Accounting for receipts for.

All moneys collected on account of head tax, as well as all moneys collected for rentals of exclusive privileges at United States immigrant stations and all moneys collected as fines for violations of the immigration laws (whether imposed by the Department or the courts), shall be deposited to the credit of the Treasurer of the United States on account of the "immigrant fund," with an assistant treasurer of the United States, or national-bank depositary, in the same manner as other miscellaneous collections are deposited. Separate accounts of the receipts and expenditures of money under the act shall be rendered monthly to the Secretary of the Treasury through the Department of Commerce and Labor on forms to be furnished by the Government for the purpose.

RULES RELATING TO ADMISSION OR EXCLUSION.

Immigration Act:

RULE 4. *Application of Immigration Act.*—The provisions of the Immigration Act apply to all aliens seeking to enter the United States, except accredited officials of foreign governments, their suites, families, and guests. The act also prescribes the conditions of their admission to or exclusion from the United States, or any waters, territory, or other place subject to the jurisdiction thereof, except the Isthmian Canal Zone. The act becomes effective when such aliens arrive from any foreign country, or other place without the jurisdiction of the United States, or from the Canal Zone. The provisions of the Immigration Act do not apply to aliens who have once been duly admitted to the United States or any waters, territory, or other place subject to the jurisdiction thereof,

To whom applicable.

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proceeding to or from the continental territory of the United States, except aliens coming from the Canal Zone, and except Japanese or Korean laborers coming from Hawaii, with passports limited to Hawaii, Mexico, or Canada. The admission of aliens coming from the Canal Zone is governed by the regulations applicable to aliens generally; the admission of Japanese or Korean laborers to the continental territory of the United States is governed by the provisions of the Executive order of the President embodied in Rule 21 hereof.

Examination: Who excludable upon;

RULE 5. *Examination of aliens.*—No alien who falls within one of the classes of persons enumerated and defined in section 2 of the Immigration Act or in the Executive order embraced in Rule 21 hereof shall be admitted to the United States, nor (with the exception of the Isthmian Canal Zone) to any waters, territory, or other place subject to the jurisdiction thereof. Every alien seeking to enter the United States, as thus defined, who does not fall within any of the classes so enumerated, shall be admitted.

Children under 16;

Children under sixteen years of age, unaccompanied by one or both of their parents, shall not be permitted to enter the United States, if it appears, or the circumstances indicate, that they are to be placed in forced or "padrone" servitude or in any employment unsuited to their years.

Primary inspection;

Every alien arriving at a port of the United States shall be promptly examined, as by law provided, either on shipboard or at some other place designated for that purpose. Every alien who may appear to the examining immigrant inspector to be clearly and beyond doubt entitled to land shall be at once admitted; every alien who may not appear to be clearly and beyond a doubt entitled to land shall be detained for examination by a board of special inquiry, which examination shall be promptly conducted separate and apart from the public, and, upon the conclusion thereof, the alien shall be either immediately landed or ordered excluded and returned to the country whence he came. If an appeal lies, the alien shall be informed of his right thereto, and the fact that he has been so informed shall be entered of record in the minutes of the board's proceedings. If the alien elects to appeal, he must, to enable officers to comply with the provisions of section 19, file notice of such appeal not less than forty-eight hours prior to the sailing of the first vessel by which his return may be effected, unless such sailing occurs less than forty-eight hours after the order of deportation is made. But in no event shall an appeal be considered after an alien has, in consequence of an adverse decision of a board of special inquiry, been transferred from an immigrant station to be excluded, unless such transfer has been made to prevent congestion, or danger of contagion, as provided by Rule 8 hereof.

Board special inquiry inspection.

Appeals: Notifying alien of right to; Filing notice of;

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Appeals: Notice to steamship company;

If an alien, rejected on account of disability or disease, or because insane or mentally defective, is in such physical or mental condition as to require special care and attention during the ocean voyage and land trip of deportation, the commissioner or inspector in charge shall, when delivering such rejected alien into the custody of the master or first or second officer of the vessel by which deportation is to be effected, furnish such officer with a statement of particulars (Form No. 597) and accompanying receipt and returns, for use in accordance with the provisions of Rule 37 hereof, all applicable requirements of which rule shall be observed. In the cases of aliens rejected by boards of special inquiry, or by the Department on appeal, the commissioner of immigration or inspector in charge shall, as promptly as circumstances permit, notify the steamship line by a vessel of which the alien is to be deported, furnishing full particulars as to the cause of rejection, and, if the alien is diseased, disabled, or insane, a statement of the alien's condition.

When permissible;

RULE 6. *Appeals.*—Except as specified in this rule, an appeal may be taken by the alien himself or by a dissenting member of the board from any decision of a board of special inquiry which determines whether an alien shall be admitted or excluded. No appeal is permissible when the decision of the board rejecting an alien *is based upon* a certificate of the examining medical officer which shows—

When not permissible; because decision is based on medical certificate;

(*a*) That the alien is afflicted with tuberculosis or with a loathsome or dangerous contagious disease;

(*b*) That the alien is an idiot, an imbecile, an epileptic, or is insane or feeble-minded;

(*c*) That the alien has been insane within five years previously, or has had two or more attacks of insanity at any time previously;

(*d*) That the alien has any *mental* defect which in the board's opinion may affect his ability to earn a living or render him likely to become a public charge;

(*e*) That the alien has any *physical* defect which in the board's opinion may affect his ability to earn a living or render him likely to become a public charge; but aliens coming within this class may nevertheless be admitted, in the discretion of the Secretary, as provided in Rule 20 hereof.

Discretion of board of inquiry under section 10;

Boards of special inquiry in reaching decisions "based upon the certificate of the examining medical officer" are to be governed by the following considerations: It is "the decision of the board of special inquiry" which is made unappealable in certain cases by section 10, and not "the certificate of the examining medical officer." In arriving at a decision, therefore, the board is required to exercise its own discretion in determining whether or not it will "base" the same upon the certificate of the examining medical officer. Where the decision of the board is

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Appeals:

expressly "based" upon medical certificates of the character specified by section 10, no appeal is allowed by the act. But whether the board will so "base" its decision will naturally depend upon the circumstances of the case. Thus—

Circumstances determining whether board's decision shall be based on medical certificate, and whether case shall be decided by board subject to appeal or shall be considered an application for bond.

When the medical certificate shows that an alien is affected with tuberculosis or with a loathsome or dangerous contagious disease, or when it shows that an alien is an idiot, an imbecile, or an epileptic, or is insane or feeble-minded, the board of special inquiry, in the absence of competent and convincing evidence to the contrary, is virtually forced to "base" its decision upon that certificate, the reason being that whether or not an alien is so affected is purely a matter of medical science and not such a matter as to which a board of laymen can be expected to reach an intelligent conclusion.

Where the medical certificate states that an alien is affected with any mental defect or physical defect (other than those just named), either of which defects is of a nature that might affect the ability of the alien to earn a living or make him likely to become a public charge, or when the medical certificate states that the alien has been insane within five years previously, or has had two or more attacks of insanity at any time previously, the question to be determined is a practical one quite as much as a medical one, and boards of special inquiry should not only receive and carefully consider the certificate of the medical officer, but should likewise consider all the facts and surrounding circumstances of the case, and from the case as a whole reach their own conclusion as to whether the defect is of a nature which may, considering all the circumstances of the case, affect his ability to earn a living or render him likely to become a public charge, or whether the alien has actually been afflicted in the past.

If the defect for which certified is *physical*, not *mental*, and, on consideration of the whole case, the board's decision is that such physical defect is one which may affect his ability to earn a living or render him likely to become a public charge, and the alien is otherwise admissible, he should be given an opportunity to make application for landing under bond in accordance with Rule 20.

Application for landing under bond and Appeals:

If, on the other hand, the board's conclusion is that the defect is not of such a nature as to affect the ability of the alien to earn a living or render him likely to become a public charge, considering all the facts surrounding his case, and that the alien is otherwise admissible, the board should land the alien unconditionally; or, if the board's conclusion is that the alien should be rejected, not solely because of the certificate but on the basis of all the facts and circumstances, the alien should be rejected and advised of his right to appeal in the usual manner.

Distinction drawn between.

To summarize so much of the foregoing as relates to the distinction between *appeals* and applications for admission under *bond:*

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When a board concludes that an alien is "liable to be excluded because likely to become a public charge or because of physical disability other than tuberculosis or a loathsome or dangerous contagious disease," and such conclusion is not based *solely upon the medical certificate, the board should render a decision, from which decision the alien has the right of appeal.*

But when the board reaches such conclusion upon the basis solely *of the medical certificate, no decision should be rendered, but the alien should be given an opportunity to apply for admission under bond in accordance with Rule 20.*

Appeals: Notice of, to act as stay of deportation;

RULE 7. *Appeals, procedure.*—Notice of appeal shall act as a stay of all proceedings until a final decision is rendered by the Secretary; and, within forty-eight hours after the filing of such notice, the complete record of the case shall be forwarded to the Commissioner-General of Immigration by the immigration officer in charge at the port of arrival, accompanied by his views thereon in writing; but on such appeal of any case to the Secretary no evidence will be considered which has not already been passed upon in said case by a board of special inquiry at the original hearing, or upon a rehearing if so ordered. (See sec. 25.) If, to prevent a miscarriage of justice, additional time is granted to the friends or counsel of an appealing alien, the said immigration officer may require the deposit of a sum of money sufficient to defray the cost of maintaining appellant during the additional time thus allowed.

Evidence considered on;

Granting additional time for;

Making record of;

RULE 8. *Appeals, procedure.*—The commissioner of immigration or the immigration officer in charge at the port of landing shall enter of record the name of every alien found upon examination to be within any of the prohibited classes, with a statement of the decision in each case; and if such decision be appealed from immediately upon the receipt from the Department of its conclusions thereupon the alien shall be landed or deported in accordance with such conclusion. If a landing is refused on appeal, the master, agent, consignee, or owner of the vessel by which the said alien arrived shall be notified by the commissioner or officer in charge, and advised that the alien will be placed aboard the vessel of the line involved next sailing, for deportation. The commissioner or officer in charge at a port of entry where a detention station is located may, immediately upon exclusion, place debarred aliens on board the vessel by which they are to be deported, if in his judgment such action is necessary to prevent congestion or danger of contagion in such station. (See Rule 5.)

Notifying steamship of dismissal of.

Medical examination: What surgeons to conduct;

RULE 9. *Medical examination.*—Officers of the United States Public Health and Marine-Hospital Service (or, if such officers are not available, civil surgeons of not less than four years' professional experience) are required by section 17 of the Immigration Act to make a physical and

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mental examination of all arriving aliens, and to certify for the information of immigration officers any and all physical and mental defects or diseases observed by them. Every officer of such Service detailed for this duty shall, subject to the instructions of the Surgeon-General of the Public Health and Marine-Hospital Service, be under the direction of the immigration officer in charge of the port to which he may be detailed. Medical examination:

The certificate of the medical officer shall state the physical or mental defect or disease observed, specifying the name by which it is known in common speech as well as the name by which it is known in medicine; and the certificate shall also state: *Certificates covering, contents of—*

(*a*) Where an alien is certified as having been insane within five years previous, or as having had two or more attacks of insanity at any time previously, how the previous existence of the malady has been ascertained (sec. 2); Insane within 5 years;

(*b*) Where an alien is certified as being afflicted with a loathsome or dangerous contagious disease, that the disease named is in fact a loathsome or dangerous contagious disease, and is or is not of a quarantinable nature (secs. 2, 19); Contagious diseases;

(*c*) Where an alien is certified as having a mental or physical defect of a nature which may affect his ability to earn a living, or as being likely to become a public charge by reason of any mental or physical disability, the bearing of such mental or physical shortcoming upon the customary occupation of the alien and upon his general capacity for useful employment, whether such defect is of a temporary or permanent nature, and whether the deficiency of the alien has been corrected by artificial or educational means (secs. 2, 10, 26); Mental and physical defects;

(*d*) Where an alien is certified for permission to land for medical treatment in any hospital of the United States, or where it is certified that the health or safety of an insane alien would be unduly imperiled by immediate deportation, that the alien is not suffering from tuberculosis or from a loathsome or dangerous contagious disease of a nonquarantinable nature, and the probable duration of the alien's detention in hospital, asylum, or elsewhere (sec. 19); When hospital treatment required;

(*e*) Where an alien is certified as being helpless from sickness, mental or physical disability, or infancy, whether such alien requires the protection or guardianship of an attendant (secs. 11, 21); For helplessness;

(*f*) Where the wife or minor children of a domiciled alien are certified as being affected with any contagious disorder, whether such disorder is a loathsome or a dangerous one, the probable length of time needed to determine whether the disorder will be easily curable, and whether they can be permitted to land without danger to other persons (sec. 37); and Wives and minor children;

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Medical examination:

Certificates covering, contents of—

Persons afflicted at time foreign embarkation.

(*g*) Where an alien is certified as being an idiot, imbecile, epileptic, or afflicted with tuberculosis or with a loathsome or dangerous contagious disease, whether the alien was so afflicted at the time of foreign embarkation, whether the existence of the disease or disability might have been detected by means of a competent medical examination at such time, how the previous condition of the alien has been ascertained, and the ground for believing that it might have been detected by a competent examination.

Landing for hospital treatment:

Conditions under which permissible;

RULE 10. *Landing for hospital treatment.*—(*a*) Where an alien has been excluded by decision of a board of special inquiry and the order for the return of the alien has been suspended, or where an alien is held, pending the determination of his case, by order of court, to await transportation, on account of his health, because his testimony is required in the prosecution of offenders against the act, or for some other cause, an application may be made, accompanied by the certificate of the medical examiner, to the Secretary of Commerce and Labor for permission to allow the landing of the alien for hospital treatment or other appropriate care or attention.

Evidence required, in urgent cases—

(*b*) Such an application will be granted as of course where it is certified by the medical examiner that the health or safety of an insane alien would be unduly imperiled by immediate deportation, or where it is manifest to the commissioner of immigration, or the immigration officer in charge, that the condition of the alien requires immediate hospital treatment. In such cases, pending the decision of the Secretary, hospital treatment or other appropriate care or attention shall be immediately afforded.

—in other cases;

(*c*) In all other cases the application will not be granted unless it clearly appears from the report of the commissioner of immigration, or the immigration officer in charge, or from other evidence accompanying the application, that such a course is necessary to meet the ends of justice and humanity.

By "express permission" of Secretary—

(*d*) Applications to land for medical treatment in a hospital of the United States by the "express permission" of the Secretary, made by or on behalf of aliens certified to be suffering from tuberculosis or from a loathsome or dangerous contagious disease (sec. 19), must be

Evidence required—

accompanied by a certificate of a Public Health and Marine-Hospital surgeon showing the exact character and extent of the malady with which the alien is suffering and estimating the duration of the treatment that will be required to effect a cure. The alien making the application, or the person making it in his behalf, shall deposit with the commissioner of immigration, or inspector in charge, a sum of money sufficient to cover the cost of affording the alien treatment for the period of time estimated in the above-mentioned certificate (and give satisfactory assurances that further deposit will be remitted

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if needed), if such estimated period does not exceed sixty days; and, in the event the estimate is for more than said time, a deposit shall be made sufficient to cover treatment for sixty days, and satisfactory assurances given that at least fifteen days prior to the expiration of said period a further deposit will be made sufficient to cover cost of treatment for thirty days additional and a remittance of a similar amount fifteen days prior to the expiration of the period covered by this deposit, and so on until the alien is cured and allowed to proceed, or the case otherwise disposed of. The said alien, or person interested in his behalf, shall also be advised that failure in any instance to comply with this requirement will result in deportation by the next sailing of the line involved. There shall also be deposited by the alien, or by the person making the application in his behalf, a sum of money (or transportation ticket and money) sufficient to defray the expense of forwarding the alien, if and when eventually cured, to his destination within the United States; and, in the event that such alien is a person who, by reason of infancy or other cause, will require the care of an attendant while traveling, such deposit shall be sufficient to also cover the expense of detailing an employee of the Immigration Service to accompany the alien to his destination, and the cost of the return of such employee to his or her station, or satisfactory assurances must be given that such an attendant will be furnished by the person making the application. The certificate above mentioned shall be forwarded to the Bureau of Immigration and Naturalization, accompanied by a report of the circumstances of the case, sufficiently detailed to enable the Department to determine whether there are present any peculiar conditions that render the exercise of its authority necessary to meet the ends of justice and humanity. Such report shall also show whether the deposits and assurances hereinbefore mentioned have been made and given, describing the character of the assurances. If the application is granted by the Department the alien will be permitted to enter a hospital for treatment. Should such treatment extend over a period exceeding sixty days and the deposit to cover any succeeding thirty-day period not be promptly forthcoming as above required, the fact of such failure shall be immediately reported to the Department in order that instructions for the deportation of the alien may issue. When any alien so detained is cured and allowed to proceed to destination, such amount as remains unexpended of the deposit or deposits made on his account shall be returned to the depositor and his receipt taken therefor.

Landing for hospital treatment:

By "express permission" of Secretary—

Deposits required—money and transportation;

Procedure regarding alien and deposits;

(*e*) The landing or detention of an alien for the purpose contemplated by this rule shall not be construed in any manner to alter the status of the alien with reference to his right to enter or remain in the United States. (Sec. 19.)

Not admission.

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Wives and children of domiciled aliens: Landing of, for treatment;

RULE 11. *Detention of sick wives or children.*—Where, upon the arrival of the wife or minor child or children sent for by a domiciled alien, or of the minor child or children of a naturalized citizen, born abroad prior to his naturalization, such wife, child, or children are found to be afflicted with a contagious disorder and it can not be immediately determined whether they are easily curable, they shall be detained in such hospital or other place as may be designated by the certifying medical examiner, to the Secretary of Labor for permission to allow the wife or child for hospital treatment or other appropriate care or attention. In such cases, where necessary, pending the decision of the Secretary, hospital treatment or other appropriate care or attention shall be immediately afforded. This application or the accompanying papers must clearly show that the husband or father has actually taken up his permanent residence in this country and has actually filed his declaration of intention to become a citizen of the United States, or has actually been naturalized, and that he is in fact the husband or father of the alien in question. Nothing contained herein shall be taken as in any manner affecting the liability of transportation companies under section 9, or as altering the status of the aliens concerned with reference to their admission or exclusion. (See sec. 37, and Rules 10 and 12.)

Evidence required.

Helpless aliens: Guardian en voyage for, when deported.

RULE 12. *Detention of attendants for helpless aliens.*—Where it is found that an alien is helpless from sickness, mental or physical disability, or infancy, and that, if excluded, he will require the protection and guardianship of an attendant upon his return to the country whence he came, if the alien arrives accompanied by others, not more than one of such accompanying aliens (preferably a natural guardian or relative) shall be detained to act if, in the judgment of the commissioner of immigration or the immigration officer in charge, such detention is necessary. Such detention shall not be deemed necessary, but is permissible, in quarantinable cases. If the alien arrives unaccompanied, a suitable person shall be employed for the purpose. The expense incident to such detention or employment and to the transportation involved shall be borne by the transportation company. (Secs. 11, 19, 21.)

Disabled aliens: Hospital treatment of;

RULE 13. *Detention and treatment of aliens, procedure and expense of.*—(*a*) A disabled alien, within the purview of Rules 10, 11, and 12 hereof, may be afforded the required medical treatment on board ship or in the detention quarters, or may be removed to a suitable hospital for treatment, as in his discretion the commissioner of immigration or inspector in charge at the port may decide is required by existing circumstances and the condition of the alien's health as reported upon by the surgeon charged

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with the medical examination of aliens at such port. If such an alien is removed to a hospital he shall not be regarded as in any sense landed, and the cost of his maintenance and care there must be borne in one of the several ways hereinafter specified, as the circumstances of the case may require. Disabled aliens:

(*b*) If in the judgment of the commissioner or inspector in charge, based upon the expressed opinion of the medical examiner, it is necessary as a measure of humanity or for the proper care of an alien removed to hospital to also place in the hospital a suitable attendant or some person who is dependent upon the disabled alien, or the reverse, the cost of the detention in hospital of such additional person must be borne in the same manner as the cost of treating the disabled alien. Attendants for;

(*c*) The expenses involved in detaining or treating aliens shall be borne as follows: (1) *By the immigrant fund.*—In cases of (*aa*) Those held as witnesses under section 19 and Rule 14; (*bb*) Insane aliens whose health or safety would be unduly imperiled by immediate deportation (sec. 19); (*cc*) Wives and minor children of aliens who have declared intention, or minor children of naturalized citizens born abroad prior to naturalization of parent (sec. 37 and Rule 11; Op. Compt., Jan. 15, 1908). (2) *By the alien.*—Those treated by "express permission" of the Secretary, under section 19, although afflicted with tuberculosis or a loathsome or dangerous contagious disease, in accordance with the provisions of Rule 10 (Op. Compt., Jan. 15, 1908). (3) *By the alien, preferably, but by immigrant fund under special authority.*—Aliens whom it is necessary for any reason to hold at a port of entry, *after admission*, in accordance with Rule 15. (4) *By steamship companies.*—Aliens not falling within any of the foregoing classes whom it is necessary for any reason to hold or to treat in hospital *pending determination* of right to land, or awaiting deportation under order of rejection of a board of special inquiry or of the Department (sec. 19). Expenses of hospital care of;

(*d*) Covering cases of the character mentioned in class (4) of the preceding paragraph, bills for hospital treatment and maintenance shall be rendered monthly by hospitals against the steamship companies responsible, through the office of the commissioner of immigration or inspector in charge, the latter's approval to be attached to the bills, if found correct, before forwarding them to the companies for settlement. Officers of the Immigration Service will in all such cases look to the steamship companies for settlement of the hospital bill. If any steamship company refuses to pay such bills rendered with the approval of the immigration officials, it will, of course, be necessary to require thereafter that all aliens brought by the vessels of such company shall be held on board ship until their applications for admission have been finally adjudicated. Bills for hospital treatment of; Refusal to pay for treatment of.

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Witnesses: Holding aliens to act as.

RULE 14. *Holding of aliens as witnesses.*—When it is thought that the deportation of an excluded alien should be suspended so that his testimony may be had in a prosecution of offenders against the Immigration Act, in reporting to the Bureau the violation of law involved, immigration officials should give reasons for the belief that the violators should be prosecuted and the aliens held as witnesses, and if such reasons are found sufficient, authority will issue, with the approval of the Secretary, for the holding of the witnesses at the expense of the "immigrant fund." (Sec. 19.)

Assisting and protecting aliens: Providing means in case of accident.

RULE 15. *Assistance to admitted aliens.*—Any alien who has been admitted may be permitted to wait for friends or remittances upon payment by him of the actual expenses incurred by reason of such delay. In case such an alien is unable, from accident or other unavoidable circumstances, to immediately continue his journey, and is without sufficient means to defray the expense of his enforced delay, the commissioner of immigration may, in his discretion, pay said expense, reporting said case to the Bureau of Immigration and Naturalization, with reasons for his action, and request that such expense be repaid out of the "immigrant fund."

Charges for care and maintenance: Not to exceed actual cost.

RULE 16. *Charges for care and maintenance.*—At ports where the Immigration Service maintains hospitals no charge for food, lodging, or maintenance, or for hospital attendance, medicines, or other hospital expenses shall be made in excess of the actual cost of furnishing the same, the intention being to make the Service self-supporting without profit.

Members of boards of special inquiry: Oath to be taken by.

RULE 17. *Oath, board of special inquiry.*—Any immigration or other Government officer appointed to serve on a board of special inquiry under the provisions of section 25 of the Act approved February 20, 1907, shall be required to subscribe to the following oath:

FORM 566. DEPARTMENT OF COMMERCE AND LABOR,
IMMIGRATION SERVICE.

I, _____, having been designated by _____ _____ to serve as a member of a board of special inquiry, under the provisions of section 25 of the act of Congress approved February 20, 1907, do solemnly _____ that I will use my best endeavors as a member of such board to enforce the laws of the United States relating to the admission or exclusion of certain classes of aliens, and that I will well and faithfully discharge the duties of the office mentioned.

_____ and subscribed before me this _____ day of _____ _____, A. D. 19__.
[Official seal.]

Attorneys: Fees to be charged by;

RULE 18. *Appearance of attorneys.*—Attorneys and persons appearing in behalf of detained aliens shall not be permitted to charge a sum exceeding ten dollars in each case unless the commissioner or officer in charge shall, in

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writing, allow an additional compensation. A family or party of aliens traveling together shall be regarded as constituting a "case" within the meaning hereof. If for any special reason an attorney deems himself entitled to a larger fee, or if it is actually necessary for such attorney to incur expense in an alien's behalf, he shall report such facts to the commissioner or officer in charge when applying for the privilege of charging an additional fee or claiming reimbursement for expenses, and, if permission is granted, shall collect such additional fee or expenses only through the commissioner or officer in charge. Anyone charging an alien a fee prior to his detention, or charging or receiving from an alien or his relatives or friends a fee, gift, or compensation for his services in excess of the above rate, except in the manner provided, or who shall deprive an alien of any part of his chattels or effects in lieu of, or as security for, said fee, will, upon reasonable proof of such misconduct, and after having been allowed a fair opportunity to answer the charge, be disbarred by the Department (to which a full report of the matter shall be made) from practicing at any immigration station of the United States. The names and addresses of attorneys or other persons so disbarred shall be conspicuously posted at the immigration station where the misconduct occurred and their names recorded in the office of the Commissioner-General of Immigration.

Attorneys:

Method of disbarring for misconduct;

Keeping record of.

RULE 19. *Notice of sailings.*—The master, agent, owner, or consignee of any vessel on which aliens are brought to the United States shall, at least twenty-four hours in advance thereof, notify the commissioner of immigration or officer in charge of the intended time of sailing of such vessel, in order that such officer may place on board the vessel every alien brought thereon who has been finally refused a landing.

Notice of sailings:

Masters of vessels to give.

RULE 20. *Admissions under bond.*—If, in following the provisions of Rule 6 hereof relating to appeals, *the board of special inquiry reaches the conclusion* that an alien in whose case a medical certificate for some *physical* defect, other than tuberculosis or a loathsome or dangerous contagious disease, has been rendered *is* excludable solely because such certified physical defect is, in the board's opinion, "of a nature which may affect the ability of such alien to earn a living," or render him liable to become a public charge, but that such alien is otherwise admissible, and, after notice of his right to do so, the alien signifies an intention to apply for admission under bond, the board shall not enter an excluding decision against the alien as in other cases, but shall make a special finding of fact in the premises and report the same, including the certificate of the medical examiner, to the immigration officer in charge, who shall forward the report, together with his recommendation, to the Secretary of Commerce

Admissions under bond:

Cases in which permissible;

Procedure for;

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Admissions under bond: and Labor, through the Commissioner-General of Immigration. (See secs. 10 and 26 and Rule 6.)

Amount of bond; If, in the exercise of the discretion conferred by law, the Secretary decides to admit the alien, a bond will be required in an amount which in no case shall be less than

Sureties on bond; five hundred dollars. The sureties thereto shall be parties of known and ascertained responsibility and approved by the commissioner of immigration or immigration officer

Bond to be in duplicate; in charge. The bond shall be executed in duplicate on forms supplied by the Bureau, but shall not be accepted until landing of the alien under bond is authorized by the Department.

Procedure if bond not forthcoming. If, within a reasonable time, not to exceed thirty days, after the receipt of the Department's authority for the landing of an alien under bond, there is not forthcoming bond with acceptable sureties, that fact, and all others that may have a bearing upon the matter, shall be reported to the Department, with request for instructions; and if in any such case the former decision of the Department is reversed, the alien shall then be formally rejected by the board.

Japanese and Korean laborers: RULE 21. *Japanese and Korean laborers.*—The following rule is promulgated for the purpose of giving effect to an Executive order of the President issued on March 14, 1907, reading:

President's proclamation concerning; Whereas, by the act entitled "An act to regulate the immigration of aliens into the United States," approved February 20, 1907, whenever the President is satisfied that passports issued by any foreign government to its citizens to go to any country other than the United States or to any insular possession of the United States or to the Canal Zone, are being used for the purpose of enabling the holders to come to the continental territory of the United States to the detriment of labor conditions therein, it is made the duty of the President to refuse to permit such citizens of the country issuing such passports to enter the continental territory of the United States from such country or from such insular possession or from the Canal Zone;

And Whereas, upon sufficient evidence produced before me by the Department of Commerce and Labor, I am satisfied that passports issued by the Government of Japan to citizens of that country or Korea and who are laborers, skilled or unskilled, to go to Mexico, to Canada and to Hawaii, are being used for the purpose of enabling the holders thereof to come to the continental territory of the United States to the detriment of labor conditions therein;

I hereby order that such citizens of Japan or Korea, to wit: Japanese or Korean laborers, skilled and unskilled, who have received passports to go to Mexico, Canada or Hawaii, and come therefrom, be refused permission to enter the continental territory of the United States.

It is further ordered that the Secretary of Commerce and Labor be, and he hereby is, directed to take, through the Bureau of Immigration and Naturalization, such measures and to make and enforce such rules and regulations as may be necessary to carry this order into effect.

Subject to general immigration laws; (*a*) Aliens from Japan and Korea are subject to the general immigration laws.

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Japanese and Korean laborers:

Limited passports held by;

(*b*) Every Japanese or Korean laborer, skilled or unskilled, applying for admission at a seaport or at a land-border port of the United States and having in his possession a passport issued by the Government of Japan, entitling him to proceed only to Mexico, Canada, or Hawaii, shall be refused admission.

Presumptions concerning;

(*c*) If a Japanese or Korean laborer applies for admission and presents no passport, it shall be presumed (1) that he did not possess when he departed from Japan or Korea a passport entitling him to come to the United States, and (2) that he did possess at that time a passport limited to Mexico, Canada, or Hawaii.

Passports to U. S. or unlimited;

(*d*) If a Japanese or Korean alien applies for admission and presents a passport entitling him to enter the United States or one which is not limited to Mexico, Canada, or Hawaii, he shall be admitted, if it appears that he does not belong to any of the classes of aliens excluded by the general immigration laws.

Evidence as to status of;

(*e*) If a Japanese or Korean alien applies for admission and presents a passport limited to Mexico, Canada, or Hawaii, and claims that he is not a laborer, either skilled or unskilled, reasonable proof of this claim shall be required in order to permit him to enter the United States.

Appeal by;

(*f*) When a Japanese or Korean alien is rejected as being a skilled or unskilled laborer holding a passport limited to Mexico, Canada, or Hawaii, he shall be allowed the right of appeal to the Secretary of Commerce and Labor under the same conditions as attach to aliens rejected under the general immigration laws.

Arrest of;

(*g*) If a Japanese or Korean skilled or unskilled laborer is found in the continental territory of the United States without having been duly admitted upon inspection, the procedure employed under the general immigration laws for the arrest and hearing of aliens who have entered the United States surreptitiously shall be observed, to the end that the right of such alien to be and remain in the United States may be determined; and if it shall appear that such alien falls within the class excluded by the foregoing Executive order, and has entered the United States since the 14th of March, 1907, the said alien shall be deported according to the provisions of sections 20, 21, and 35 of the act of Congress approved February 20, 1907.

Deportation of;

Right of, to communicate with diplomatic officers;

(*h*) In case any Japanese or Korean is detained or denied admission by virtue of the foregoing Executive order, he shall, in addition to being informed of his right of appeal to the Secretary of Commerce and Labor, be advised that he may communicate by telegraph or otherwise with any diplomatic or consular officer of his Government, and shall be afforded opportunities for so doing.

Courtesy and consideration due to;

(*i*) The officials of the Department charged with the enforcement of the immigration laws are instructed that in the execution of this rule scrupulous care shall be

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Japanese and Korean laborers:

taken to see that the courtesy and consideration which the Department requires in the case of all foreigners, of whatever nationality, are shown to those affected by this rule. All officers of this Department are hereby warned that no discrimination will be tolerated, and that those coming under this rule must be shown every courtesy and consideration to which the citizens of most favored nations are entitled when they come to the United States.

Definition of term "laborer, skilled and unskilled;"

(*j*) For practical, administrative purposes, the term "laborer, skilled and unskilled," within the meaning of the Executive order of March 14, 1907, shall be taken to refer primarily to persons whose work is essentially physical, or, at least, manual, as farm laborers, street laborers, factory hands, contractors' men, stable men, freight handlers, stevedores, miners, and the like; and to persons whose work is less physical, but still manual, and who may be highly skilled, as carpenters, stone masons, tile setters, painters, blacksmiths, mechanics, tailors, printers, and the like; but shall not be taken to refer to persons whose work is neither distinctively manual nor mechanical, but rather professional, artistic, mercantile, or clerical, as pharmacists, draftsmen, photographers, designers, salesmen, bookkeepers, stenographers, copyists, and the like. The foregoing definition is subject to change, and will not preclude the Secretary of Commerce and Labor from deciding each individual case which comes to him by way of appeal in accordance with the particular facts and circumstances thereof.

Indorsement of passports.

(*k*) Passports presented by Japanese and Koreans shall be plainly indorsed, in indelible ink, by the officer admitting or rejecting the applicant, in such a manner as to show the fact and date of admission or rejection, the name of the officer being signed to such indorsement; after which the passport shall be returned to the person by whom presented.

Seamen:

RULE. 22. In consideration of the necessities of commerce and navigation, it has been held that foreign seamen arriving at the ports of the United States, and landing therein in the pursuit of their calling, are not ordinarily within the operation of the immigration act (23 Op. Atty. Gen., 521; 207 U. S., 120). But in order that this exemption shall not avail to permit the introduction into the United States of aliens excluded therefrom by the said act, it is necessary to observe the following distinctions between foreigners who are seamen and other aliens:

Why examination of necessary;

Who are seamen;

A seaman is any person employed to serve in any capacity on board any vessel plying between foreign ports and ports of the United States, whose occupation consists in following the sea, and who lands in the United States with no intention of remaining, and not otherwise than on shore leave, or on the business of his vessel, or for the purpose of reshipping.

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Seamen:

In coastwise trade;

Aliens, members of the crew of vessels engaged in the coastwise trade of the United States, are aliens within the meaning of the immigration act and subject to its provisions (Ops. Solr., June 14, 1907, and Sept. 16, 1907).

Discharged;

Aliens, though members of the crew of vessels engaged in the foreign trade, if their employment terminates at the end of the voyage to the United States, or if discharged in a port of the United States, are to be treated as seamen only if it appears that they intend to reship on a vessel bound to a foreign port, or to depart from the country within a reasonable time.

Deserting;

Aliens, though members of the crew of vessels engaged in the foreign trade, if they desert their ship, shall, until the contrary is shown, be deemed to have abandoned their calling, and to be no longer seamen, within the meaning of this rule.

Found in United States otherwise engaged;

Aliens, though landing in the United States as seamen, if found thereafter engaged in any occupation not connected with the business of a vessel to which they are attached, or if found to be public charges, shall be treated as other aliens are treated, and shall be liable to deportation in like manner and for like causes.

Application of act to;

In the application of the immigration act to aliens, members of the crew of vessels engaged in the foreign trade of the United States, the following instructions will be observed:

General procedure regarding—

(*a*) Aliens coming to the United States as members of the crew of any vessel, who are found to be seamen as herein defined, shall not be examined by officers of the Immigration Service further than may be necessary to determine their status as seamen, and to ascertain that they are not insane, idiots, imbeciles, epileptics, or persons afflicted with tuberculosis or with a loathsome or dangerous contagious disease; head tax shall not be certified on their account; they shall not be prevented from landing temporarily in the United States, nor required to land at any designated time or place; neither shall any manifest of them be required, nor shall they necessarily be returned to the country whence they came by the vessels bringing them. Alien seamen, however, who are insane, idiots, imbeciles, epileptics, or persons afflicted with tuberculosis or with a loathsome or dangerous contagious disease, and the existence of whose disease or disability might have been detected by means of a competent medical examination at the time of foreign embarkation, are persons whose employment on board vessels is in nowise necessary to commerce and navigation, and who are, accordingly, not within the exception in favor of seamen, because not within the reason thereof. The bringing of such seamen to the United States, therefore, is unlawful by the terms of section 8.

To what extent examined;

If mentally or physically afflicted, not considered *bona fide*;

All seamen to be primarily inspected;

(*b*) All aliens coming to the United States as members of the crew of a vessel, who, for any of the reasons hereinbefore mentioned, are found not to be seamen as herein

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Seamen: defined, shall in no respect be distinguished, by reason of their present employment, from other aliens seeking admission into the United States; but it shall be the duty of the inspectors and medical officers detailed for the purpose to determine whether such aliens are clearly and beyond doubt entitled to land, and to hold for examination by a board of special inquiry such as are not so entitled, and to follow the same procedure as in the case of alien passengers seeking to land, including the certification of head tax on account of those landed.

If not *bona fide*, must not be landed; (*c*) In case any alien employee of a vessel is found by the immigration officials not to be a *bona fide* seaman seeking to land in the pursuit of his calling, and is declared by such officials inadmissible under the immigration act, the master, owner, agent, or consignee of such vessel will be required, subject to the penalties imposed by said act, to prevent the landing of such inadmissible alien and to return him to the country whence he came.

Head tax not assessable on if *bona fide*; (*d*) Head tax shall not be assessed on account of *bona fide* seamen who seek to land only in the pursuit of their calling. But on account of those who desert and remain in the United States, not being apprehended and returned to their vessels, and on account of such as are discharged with the intent to remain in the United States, the head tax shall be assessed. In determining whether head tax is assessable, it will not in any case be assumed that a deserting alien seaman has deserted with the intention to reship, but some reasonably convincing evidence of such an intent shall be required.

Head tax on to be deposited temporarily; Head tax assessed on account of discharged or deserted alien seamen shall be held on special deposit subject to refundment on submission of proof of departure, for a period not exceeding three months, and at the expiration of such period shall be covered into the Treasury.

Manifests of not *bona fide*; (*e*) Of such aliens employed on board vessels as are found by the immigration officials not to be *bona fide* seamen, or not to be seeking to land in the regular course of their pursuit with intent to continue their calling, the immigration officials shall prepare lists, in lieu of manifests, for use in compiling statistics, indicating in such lists that the alien applicants therein enumerated arrived at the port as employees of a vessel.

Procedure if ill and law of vessel's country requires return home; (*f*) If, upon the arrival of a vessel from a foreign port, it is discovered that any alien member of the crew of such vessel is ill or disabled to such an extent as to make it obligatory upon the master of the vessel, under the navigation laws of the country to which the vessel belongs, to return the seaman to the country where he embarked, immigration officials shall confer with the master and with the consular representative of the country to which the vessel belongs, with the object of perfecting plans by which the master may be able to observe the laws of his own country without making possible or encouraging a violation of the immigration laws of the

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Seamen:

seaman relinquishes his calling, he shall like any other alien seeking admission to the United States; and if, upon being examined before a board of special inquiry, his rejection is ordered the master of the vessel shall be required to return him by such vessel, or at his own expense, to the country where he embarked. If the seaman does not relinquish his calling, or if the master desires to return him otherwise than by the vessel on which he arrived, it will be permissible for him to pass through the United States, in transit to the country where he embarked, by the most expeditious and direct route: *Provided*, That (if he is suffering with a loathsome or dangerous contagious disease, or with tuberculosis, or is in such physical or mental condition as to render him a person likely to become a public charge or otherwise inadmissible) arrangements are made for his proper care while passing through the country, and a sum of money sufficient to defray the expenses thereof is furnished by the master of the vessel. This being a provision made in the interest of trade, and because of the peculiar position occupied by seamen under principles of international comity, immigration officials shall exercise care to insure a thorough understanding with all parties concerned, that violations of the immigration laws may be provided against, and that the spirit of foreign laws may be observed.

Care to be exercised concerning, when ill and allowed transit;

(*g*) With a view to the more efficient enforcement of the immigration law with respect to foreign crews, and for the greater convenience both of officers of the Immigration Service and of the commercial interests involved, the following special procedure will be observed in cases where the master, agent, owner, or consignee of any vessel engaged in the foreign trade of the United States shall give satisfactory assurances of ability and willingness to comply with the conditions thereof:

Special procedure concerning, to be followed in lieu of general procedure if agreed to by vessel—

1. The master, owner, agent, or consignee of any such vessel shall enforce at its foreign ports of departure and call a rigid medical examination of aliens seeking employment on such vessel which will insure the rejection of any and all applicants suffering with any mental or physical affliction which would make them inadmissible to the United States under section 2, or would render the vessel liable to the fine mentioned in section 9 of the immigration act. Any failure on the part of any vessel to enforce such a medical examination in the case of any member of the crew, coming to the knowledge of an officer of the Immigration Service, shall be promptly reported to the Department for appropriate action.

Mental and physical examination of, at foreign ports;

2. In any case in which an alien seaman is not employed or articled for the return trip voyage to and away from the United States, and in any case in which it becomes necessary for any reason to discharge an alien member of a crew, the master, owner, agent, or consignee of the vessel shall notify the commissioner of immigration or the im-

Report of prospective discharge of, in United States ports;

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Seamen:

migrant inspector in charge of the port of such necessity in due season to permit the inspection and examination of such alien under the provisions of the immigration act.

Regulation of shore leave, and reporting suspicious cases of;

3. Masters, owners, agents, and consignees of such vessels shall enforce in the ports of the United States regulations on the subject of shore leave which will prevent as far as possible the permanent landing of alien members of the crew before inspection by the immigration authorities. They shall, also, furnish the immigration authorities with the names of aliens employed on their vessels of the *bona fides* of whose intention to follow the sea they have any reason to doubt, and shall afford opportunity for the inspection of such aliens; and, except by express permission of the Immigration Service, they shall under no condition grant shore leave or permit the landing of alien seamen who are insane, idiots, imbeciles, epileptics, or persons afflicted with tuberculosis or with a loathsome or dangerous contagious disease.

Reporting desertions of, and apprehending deserters;

4. When desertions occur, the master, agent, owner, or consignee of the vessel shall promptly notify the local immigration authorities of the name and description of the deserter, and any other information obtainable which would aid in the apprehension of such deserter, to the end that he may be returned to the vessel for conveyance to the foreign port of shipment.

Presumptions in favor of vessels under special procedure.

Where the foregoing conditions have been faithfully complied with, and satisfactory evidence thereof has been presented, of the sufficiency of which the Secretary of Commerce and Labor shall be the sole judge, the master, agent, owner, or consignee will be deemed to have provided a "competent medical examination" of the vessel's crew at the time of foreign embarkation within the meaning of section 9, and will be deemed to have taken reasonable precautions to prevent the landing of alien members of the crew within the meaning of section 18; and the special procedure prescribed in the several articles of this paragraph (*g*) will be followed.

Stowaways:

RULE 23. *Alien stowaways.*—The immigration act contains no provision relating in terms to stowaways, and the sections thereof prescribing inspection of applicants for admission do not, as a general rule, cover their cases.

Reasons for not examining under law;

There are two good and sufficient reasons for refusing to examine stowaways: (1) By stealing passage they not only evade on their own account, but make it impossible for vessel officials to observe the mandatory terms of sections 9 and 12 to 15, requiring medical inspection and detailed manifesting *at the foreign port of embarkation*, so that they occupy the status of persons who have failed to comply with plain provisions of law, an observance of which is necessary to a proper inauguration of their inspection under section 16; and (2) even aside from the fact that stowaways thus come before the immigration officials as violators of the law, they are persons obviously falling within the excluded classes named in section 2 in

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Stowaways:

every instance, at least to the extent that they are persons who are "assisted by others to come," and with respect to whom it would be practically impossible to show "affirmatively and satisfactorily" that they do not belong to the excluded classes.

Not to be examined, *as general rule;*

Therefore, alien stowaways shall not, as a rule, be examined or permitted to land at ports of the United States, nor shall head tax be certified on their account. The masters of vessels immediately upon arrival shall report to the immigration officer in charge the names of any alien stowaways on board, and shall take every precaution to prevent their landing, subject to the penalty prescribed by section 18, holding them on board the vessel until it departs from the United States.

Vessels to report concerning;

Exceptional cases of, to be brought to attention of Department.

While these regulations cover all ordinary cases of stowaways and will in practice be found to be of almost universal application, yet cases may rarely arise in which the alien, though a stowaway, may nevertheless be entitled to inspection and to admission if found to belong to none of the excluded classes. For example, the alien, though originally a stowaway, may have been, because of the particular facts of his case, accepted by the vessel as a passenger and manifested in such a way as to substantially comply with the law, or may have been employed as a member of the crew, or the causes which led the alien to stowaway may have been such as to bring his case within the first proviso to section 2 of the immigration act, and entitle him to special consideration. Exceptional cases of this character should be promptly brought to the attention of the Department, with a full statement of facts and a request for instructions.

Ports of entry, Canada: List of.

RULE 24. *Ports of entry, Canada.*—In accordance with section 36, the following are named as Canadian border ports of entry for aliens; and any alien who enters the United States across such border at any other point shall be deemed to have entered the country unlawfully, and shall be arrested and deported under sections 20, 21, and 35 of said act, in the manner provided by Rule 34 hereof: Eastport, Calais, Vanceboro, Houlton, and Lowelltown, Me.; Beechers Falls, N. H.; Island Pond, Newport, Richford, St. Albans, Swanton, and Alburg, Vt.; Rouses Point, Malone, Fort Covington, Nyando, Ogdensburg, Morristown, Clayton, Cape Vincent, Charlotte, Lewiston, Niagara Falls, and Buffalo, N. Y.; Detroit, St. Clair, Port Huron, and Sault Ste. Marie, Mich.; Duluth, Beaudette, and Noyes, Minn.; Pembina, Neche, Portal, and St. John, N. Dak.; Sweet Grass and Gateway, Mont.; Porthill and Eastport, Idaho; Marcus, Oroville, Sumas, and Blaine, Wash.

Canadian agreement: Admission under;

RULE 25. *Admission and exclusion, Canadian ports.*—In view of the agreement between the various steamship and railroad companies in the Dominion of Canada and the Commissioner-General of Immigration of the United States of America, inspection and entry of aliens into the

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Canadian agreement: United States from foreign countries, through Canadian territory, under the Immigration Act, will be accomplished in accordance with the following provisions:

Seaports of inspection; (*a*) All aliens arriving in Canada, destined to the United States, shall be inspected at any one of the following ports: Halifax, Nova Scotia; Quebec and Point Levi, Quebec; St. John, New Brunswick; and Vancouver and Victoria, British Columbia; and the holders of certificates, duly signed by the United States commissioner of immigration for Canada, shall be entitled to admittance to the United States, at any one of the places of entry along the border thereof named in Rule 24, without further examination by the United States immigration officers as to their right to enter, upon their identification and their surrender of said certificates to such officials.

Certificates of admission;

(*b*) The said certificates shall be in the following form:

Alien certificate. No. ____

Form of;

FORM 524. DEPARTMENT OF COMMERCE AND LABOR,
IMMIGRATION SERVICE,

_____, _____.

This is to certify that _____, a native of _____, who arrived at the port of _____ per steamship "_____," on the _____, 19__, has been duly inspected and registered, and will be admitted into the United States upon proper identification and surrender of this certificate to any immigration officer at the frontier.

The description of the holder is as follows: Age, _____; height, _____; weight, _____; color of hair, _____; color of eyes, _____.

Remarks: [Note destination, etc.]_____

_____,
U. S. Commissioner of Immigration.

Surrendered at _____, to Inspector _____
_____, 19__.

Seaport examination by inspectors and boards; (*c*) The examination at Canadian ports of all aliens destined to the United States shall be similar in all respects to that conducted at ports of the United States. Such aliens as, in the opinion of the examining inspector, are not clearly entitled to admission shall be taken before a board of special inquiry, the decision of which shall be final, unless reversed upon appeal, as provided for in section 25.

Deportation of rejected aliens; (*d*) All aliens arriving at Canadian seaports, destined to the United States and who may be adjudged inadmissible thereto, shall be refused the certificates herein called for, and the steamship company bringing such aliens to such Canadian seaport shall be required to return them to the countries from which they respectively came.

Manifests of incoming passengers; (*e*) The masters, owners, or agents of vessels bringing aliens to Canadian ports, destined to the United States, shall be required to furnish to the United States immigrant inspectors in charge at such ports complete manifests

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and alphabetical books of all alien passengers arriving upon vessels of their respective lines, and, in addition thereto, complete manifests of all alien passengers destined to the United States such as are now required by law in the cases of vessels bringing aliens to the ports of the United States; and the said masters, owners, or agents shall pay to the United States commissioner of immigration for Canada the sum of four dollars for each and every alien brought to a Canadian port and destined to the United States: *Provided*, That no head tax shall be levied against or collected from Canadian steamship lines on aliens brought to Canada, destined to the United States, who are shown to belong to any one of the excluded classes and who are returned to the country whence they came. In addition to the foregoing, the Canadian steamship companies will furnish to the United States commissioner of immigration for Canada (for transmission to the Commissioner-General of Immigration) manifests of all passengers not citizens of the United States leaving the United States and proceeding by the vessels of such companies to foreign ports, as required in the cases of United States transportation companies by section 12.

Canadian agreement; Payment of head tax; Manifests of outgoing passengers;

(*f*) All aliens of the class upon whom head tax is chargeable not provided with certificates of the character described in paragraph (*a*) hereof who shall apply at the border between Canada and the United States within one year after arriving at a Canadian port shall be required to return to such port, or to any one of the ports designated in paragraphs (*a*) and (*f*) hereof, for guaranty of payment of head tax, examination, and the procurement of the certificate described in paragraph (*a*): *Provided*, That aliens destined in good faith to Canada, and who shall have settled at some point in the Dominion of Canada, who shall apply as above for admission to the United States within one year after arrival in Canada, shall be examined by the boards of special inquiry located at any one of the following points: Yarmouth, Nova Scotia; Montreal, Quebec; Newport, Vt.; Buffalo and Suspension Bridge, N. Y.; Detroit, Port Huron, and Sault Ste. Marie, Mich.; Duluth, Minn.; Winnipeg, Manitoba; Portal, N. Dak.; Sweet Grass, Mont.; and Sumas and Blaine, Wash. That the decisions of the said boards of special inquiry shall have the same force and effect as decisions rendered by boards of special inquiry at seaports of the United States. That the various steamship lines shall return at their own expense, from some seaport of the Dominion of Canada or of the United States, as they may deem most practicable and may elect, to the trans-Atlantic or trans-Pacific country whence the aliens came, those aliens coming within the provisions of this paragraph who are shown to belong to any of the excluded classes mentioned in section 2, whenever in the

Certificates of admission; Extra boards; Effect of board decision; Deportation of aliens rejected by boards;

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Canadian agreement:

judgment of the Secretary of Commerce and Labor the deportation of such aliens in the manner described is deemed necessary to safeguard the interests of the United States.

Facilities at seaports;

(*g*) All facilities in the way of accommodations, access to aliens, and the keeping of aliens apart from the public until after inspection shall be afforded to the immigrant inspectors of the United States at the Canadian ports of landing to enable them to make such inspection as is required by the laws of the United States.

Certificates of admission;

(*h*) It is expected that the railway and other transportation companies in the Dominion of Canada will not sell to any aliens en route to any part of the United States tickets for their transportation, or transport them in cars or vessels from the port of entry, until after they have exhibited their certificates as herein provided, and will not knowingly transport into the United States any rejected or undesirable aliens or those who are by law prohibited from entering said country, but will return the rejected aliens to the ports at which they arrived. All aliens on account of whom the transportation companies are exempted from payment of head tax, who proceed to the border between the United States and Canada without having first been examined and granted a certificate of admission of the character described in paragraph (*a*) hereof, and who may be excluded by a border board of special inquiry, shall be returned by the transportation company carrying said aliens to the border a reasonable distance in Canada from said border. Aliens of the class last above mentioned carried to a border point where there is no board of special inquiry shall be returned and conveyed for examination to the nearest point at which a board of special inquiry is located.

Prerequisite to transportation;

Returning aliens not holding certificates of admission;

Examination before boards;

Deportation of excluded and deportable classes;

(*i*) The various steamship lines, parties to the Canadian agreement, shall return at their own expense, at any time within three years from the date of landing in Canada, from some Canadian port, or when that is not practicable from some port of the United States, such aliens as, having been brought into the Dominion of Canada upon their respective lines and having subsequently proceeded to the United States, are shown to belong to any one of the excluded or deportable classes mentioned in the act of Congress approved February 20, 1907, whenever deportation of such an alien is ordered by the Secretary of Commerce and Labor.

Application of regulations to aliens coming through Canada;

(*j*) The immigration regulations adopted by the Department of Commerce and Labor relating to the examination of aliens at ports of the United States shall apply, in so far as may be practicable, to the inspection of aliens coming through the Dominion of Canada destined to the United States.

Guaranteeing payment of head tax;

(*k*) All aliens of the taxable class seeking to enter the United States from Canada or Newfoundland shall be

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denied examination under the United States immigration laws (except to a sufficient extent to determine their liability for head tax) until they present to the examining officer or officers a certificate from a duly appointed agent of the transportation company bringing such aliens to the border, guaranteeing that responsibility for the payment of head tax on account of such aliens will be assumed by said transportation company, certificate guaranteeing payment of head tax being returnable to the applicant for admission in the event of his exclusion, such certificate before its return to the alien to have the word "Rejected" stamped or written in red ink across its face. Canadian agreement: Returning head-tax certificate;

(*l*) All moneys collected as provided in paragraph (*e*) hereof shall be transmitted by the United States commissioner of immigration for Canada to an assistant treasurer of the United States in the same manner as other miscellaneous collections are reported by collectors of customs of the United States, to be deposited to the credit of the Treasurer of the United States on account of the "immigrant fund." Statement of such receipts, under this agreement, must be rendered monthly to the Secretary of Commerce and Labor, on forms provided for that purpose. Disposition of head tax collected in Canada;

(*m*) Said United States commissioner of immigration for Canada shall give bond to the United States in the sum of ten thousand dollars, with sureties approved by the Secretary of Commerce and Labor, conditioned for the faithful discharge of his duties and the remittance of above collections. He shall make monthly reports to the Commissioner-General of Immigration, upon blanks to be furnished by the Department of Commerce and Labor, of all aliens arriving at stations under the jurisdiction of the said commissioner of immigration. Commissioner bonded;

(*n*) United States officers charged with the execution of the immigration laws and regulations along the Canadian border will, at the end of each month and from time to time as may be required, report in writing to the United States commissioner of immigration for Canada, upon blanks to be prescribed by him, the number of aliens passing through their respective ports of entry and the Canadian ports at which they landed, and the said commissioner of immigration for Canada will make to the Commissioner-General of Immigration similar reports in consolidated form, comprising both ocean and border ports. Reports from Canadian border.

RULE 26. *Ports of entry, Mexico.*—In accordance with section 36, the following are named as Mexican border ports of entry for aliens, and any alien who enters the United States across such border at any other point shall be deemed to have entered the country unlawfully, and shall be arrested and deported, under sections 20, 21, and 35 of said act, in the manner provided by Rule 34 hereof: Brownsville, Hidalgo, Rio Grande City, Laredo, Eagle Pass, Del Rio, Presidio, and El Paso, Tex.; Douglas, Ports of entry, Mexico: List of.

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Mexican border: Naco, and Nogales, Ariz.; and Hanlon, Campo, Calexico, and Tia Juana, Cal.

Inspection along; RULE 27. *Admission and exclusion, Mexico.*—Aliens applying for admission at the Mexican border ports of entry named in Rule 26 are subject to examination in the same manner and to the same extent as though arriving at seaports, except in the following particulars:

Blanks to be used in collecting statistics and head tax; (*a*) In the cases of aliens who are brought to said ports by a transportation or bridge company statistical data shall be gathered and information as to the manner in which head tax, if taxable, is to be assessed indicated by the use of a blank form reading as follows:

Report of inspection—Mexican border.

FORM 548. DEPARTMENT OF COMMERCE AND LABOR,
IMMIGRATION SERVICE,
PORT OF _____,
(*Date*)_____, *19__*

Name of passenger, _____; Age, _____; Sex, _____; Married or single, _____; Calling or occupation, _____; Read or write, _____; Nationality, _____; Race, _____; Last residence, _____; Final destination, _____; Ticket to destination, _____; Who paid passage? _____; Money, _____; Going to relative or friend; of so, whom? _____; Ever in U. S.? _____; if so, where and when? _____; Ever in prison, etc.? _____; Polygamist, _____; Anarchist, _____; Contract laborer, _____; Health, etc., _____; Whether in transit; and if so, how? _____; Admitted on primary inspection, _____; Held for board of special inquiry, _____; Whether taxable; and if so, transportation or bridge company or individual responsible for payment of head tax, _____

(*Signature*)_____
(*Title*)_____

Use of above blank; (*b*) The above blank shall be used by every officer of the immigration service making examinations of aliens brought to Mexican border ports by transportation or bridge companies, and shall be filled out completely in each case and delivered to the inspector in charge at the port of entry, who will thereupon compile from such forms a detailed notice to the collector of customs, upon blanks which will be provided, reading as follows:

Blanks for reporting aliens subject to head tax;

Statement of aliens subject to head tax—Mexican border.

FORM 549. DEPARTMENT OF COMMERCE AND LABOR,
IMMIGRATION SERVICE,
OFFICE OF _____,
PORT OF _____,
(*Date*)_____, *19__*

COLLECTOR OF CUSTOMS,
Port (or district) of _____

I hereby certify that head tax has been incurred by _____ (transportation or bridge company or individual) _____ on account of alien passenger__ arriving by [a] _____ on this date, and duly admitted, as follows:

Aliens subject to head tax, at $4 each, as follows:

_____ $_____
_____ _____

[a] Give train number or state mode of transportation.

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Mexican border:

Amount to be deposited on account of alien in transit (Rule 41) and held as special deposit (Treasury decision 24439), as follows:

---------- $----------
---------- ----------

Total---------- $----------

(*Signature*)----------
(*Title*)----------

Examination concerning funds in alien's possession.

(*c*) In the cases of taxable aliens who cross the border by other than regular (bridge or railway) transportation as a preliminary to regular examination under the laws, such alien shall be questioned only sufficiently to determine with precision whether, in the event that full examination should show him to be admissible, he is in financial condition to pay the four dollars head tax. If found to be in possession of sufficient funds in this respect, the examination may be completed, and if the alien is found eligible he shall be required to pay the head tax before being permitted to land; the blanks above given to be used for the purpose of certifying the head tax to the collector of customs.

Fines:

On account diseased aliens—

Manner of imposing;

RULE 28. *Fine, bringing of diseased aliens.*—As a means of enforcing the collection of any fine imposed under the provisions of section 9 of the Immigration Act, the said section directs the refusal of clearance papers to any vessel bringing an alien diseased as described therein to a port of the United States. To avoid, on the one hand, the denial of reasonable time to the master, agent, owner, or consignee to show cause why such fine should not be imposed and, on the other hand, the loss of the summary and effective means provided for the collection of such fines, the following instructions will be observed:

Medical certificates;

(*a*) The certificate of the medical examiner in the case of an alien afflicted with a loathsome or dangerous contagious disease shall state in terms whether, in his judgment, the "existence of such disease might have been detected by means of a competent medical examination at the port of foreign embarkation."

Notification;

(*b*) Upon the receipt of a medical certificate in compliance with the preceding paragraph hereof, the commissioner of immigration or inspector in charge at the port of arrival shall *at once* serve notice upon the master, agent, owner, or consignee of the vessel upon which such alien arrived in the following form, printed blanks for that purpose to be procured from the Department, viz:

Form of notice;

Notice of liability for fine on account of bringing diseased alien to the United States.

FORM 507. DEPARTMENT OF COMMERCE AND LABOR,
IMMIGRATION SERVICE,
[Prepare in triplicate.] OFFICE OF----------,
PORT OF----------,
----------, *19*--

To----------
---------- of the steamship ----------
[Master, agent, owner, or consignee.]

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Fines:

In conformity with the requirements of Rule 28 of the Immigration Regulations, you are hereby notified that the certificate of the examining surgeon, based upon a physical examination of the alien whose name is shown herein, indicates that a fine should be imposed under the provisions of section 9 of the Immigration Act approved February 20, 1907.

If you desire a hearing as to whether a fine should be imposed in this instance, you will be allowed sixty days from the date of this notice for that purpose, and the vessel on which the said alien arrived will be granted clearance papers when she is ready to sail and allowed to proceed upon her outward-bound voyage, upon condition that you deposit with the collector of customs at this port, prior to her sailing, the sum of one hundred dollars as security for the payment of the said fine, should it be imposed.

Name of alien.	Steamship.	Disease.
----------	----------	----------

---------- [Name.]

---------- [Official title.]

Received the above notice ----------, 19--, at -------- M. [Time.]

---------- (Witness:)

Disposition of notice;

(*c*) The notification shall be prepared in triplicate, the original to be delivered by an employee of the Immigration Service at the office of the master, agent, owner, or consignee to whom it is addressed, said employee to witness the signature of the recipient. Receipt of service shall be indorsed upon the duplicate and triplicate, the duplicate to be returned to the office of the commissioner of immigration or inspector in charge and preserved as proof of delivery, and the triplicate to be delivered to the collector of customs, who will withhold clearance papers until the deposit is made.

Deposit;

(*d*) The special deposit of one hundred dollars required to stay action for the period of sixty days shall be made to the collector of customs for the district wherein the port of arrival is located before such sailing, and in default thereof all further proceedings shall be discontinued and the facts certified to the Bureau of Immigration and Naturalization by first mail, together with the medical certificate and duplicate notice, in order that such action may be taken as the evidence requires.

Stay of action;

(*e*) If, after service of the notice as provided in paragraph (*b*) of this circular, the deposit of one hundred dollars has been made in conformity with the said notice, the commissioner of immigration or inspector in charge shall suspend further proceedings until the submission of the evidence offered to show why the said fine should not be imposed, or until the lapse of the specified period of sixty days thereafter. When the said evidence has been submitted it shall be forwarded, together with the certificate of the examining surgeon and duplicate notice, to the Commissioner-General of Immigration, for presentation to the Secretary of Commerce and Labor, by the

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Fines:

said commissioner or inspector in charge, who shall at the same time present his written views as to whether the said fine should be imposed. If no evidence is submitted prior to the expiration of the said sixty days, then said commissioner or inspector in charge shall report the case, without such evidence, for action by the Secretary of Commerce and Labor.

Final proceedings.

(*f*) Upon receipt of the decision of the Secretary of Commerce and Labor, a copy thereof shall be forwarded to the collector of customs, together with such data as may enable him to identify the special deposit made in that particular case. If the said decision imposes the fine, the one hundred dollars deposited as security shall be accounted for by the said collector in the usual manner as a fine; if the decision holds that the penalty has not been incurred, the collector of customs shall return to the depositor the amount deposited as security.

Fines—

For nonmanifesting—

RULE 29. *Fine, failure to deliver manifests.*—If the master or commanding officer of any vessel bringing aliens to a United States port fails to deliver to the immigration officers at such port lists or manifests, as required by sections 12, 13, and 14, and it therefore becomes necessary to collect the fine imposed by section 15, the following instructions shall be observed:

Notice and procedure as to incoming passengers;

(*a*) Written notice, clearly setting forth the particulars in which the lists or manifests are deficient, shall be served upon the steamship company concerned, allowing such company the period of sixty days from date of notice within which to place before the Department, through the local immigration officials, such evidence, if any, as said company may possess to show cause why the statutory penalty should not be collected. Copies of such notices and the responses thereto shall be kept of record, and shall be forwarded to the Department in the event the collection of the penalty is protested; and in no protested case shall suit be instituted to enforce collection until the Department has rendered a decision directing that collection be made.

Procedure for protesting collection;

Notice as to outgoing passengers;

(*b*) Similar notice shall be given by collectors of customs as a preliminary to collecting fines for failure to promptly furnish manifests of outward-bound alien passengers. (See Rule XXIX, statistical regulations.)

Can not be remitted;

(*c*) Under an opinion of the Attorney-General, the fine mentioned in this rule can not be remitted. (25 Op. At. Gen., 336.)

Aggregate not to exceed $100, in cases departure;

(*d*) In no case covered by this rule shall the aggregate amount of fines collected in any one instance of departure of a vessel exceed one hundred dollars.

Exemption on account diplomatic and consular officers;

(*e*) The detailed statistical information required under section 12 of the Immigration Act and section 1 of the naturalization act of June 29, 1906, shall not hereafter be required to be furnished in the cases of diplomatic and

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Fines:

consular officers, and other officials duly accredited by their governments, together with their suites, families, and guests, coming to the United States or in transit. The names of all such diplomatic and consular representatives and their suites, families, and guests, with their respective titles, should, however, appear grouped together upon the manifest.

Questioning aliens concerning items lacking in manifests.

(*f*) As an additional precaution, all aliens examined at ports of entry, concerning whom complete information is not furnished in the manifests, should be questioned as to whether demand was made upon them by the representatives of the steamship company at the port of foreign embarkation for the items of information that are lacking; and in case such answer is in the negative, the affidavit of the alien shall be taken and filed for future reference if required.

Certificate of surgeon, regarding aliens aboard vessel:

What acceptable.

(*g*) The certificate (unverified) of a responsible surgeon located at the point of embarkation or at the last port of call, prepared in the form appearing upon the reverse side of the manifest (Form 1500), shall be accepted as a sufficient compliance with section 14 requiring that when no surgeon sails with a vessel bringing aliens to the United States, the mental and physical examination of such aliens shall be made by "some competent surgeon employed by the owners of the said vessel."

Manifests:

Alphabetical indexes of.

(*h*) There will be furnished to the steamship company by the Bureau of Immigration and Naturalization blank books suitable for use in the preparation of alphabetical indexes of manifests.

Fines:

Method of reporting when U. S. attorney requested to prosecute.

RULE 30. *Fines, reporting of.*—The following method will be observed in reporting fines incurred under the immigration laws:

(*a*) Commissioners of immigration or inspectors in charge will, in all cases wherein a United States attorney is requested to institute proceedings for the recovery of prescribed penalties or to undertake criminal prosecution of an alleged offender against the immigration laws, make a report at the same time to the collector of customs for the district in which the offense was alleged to have been committed. Said report shall be rendered in every case which may arise, irrespective of the possible outcome of any legal proceedings, and shall embrace the following: (1) Date when offense was committed; (2) act, and section thereof, violated; (3) nature of offense; (4) name of offender; (5) nationality, kind, and name of vessel; (6) statutory amount of fine; (7) date of reporting case to United States attorney.

(*b*) Upon receipt of the above reports, the collector of customs will give each case a number in chronological order. When more than one section of a statute is violated by the same vessel, a separate case number will be given to each violation.

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(*c*) At the close of each month, collectors of customs will render reports in the same manner as in the case of navigation and steamboat-inspection fines, viz: All fines incurred during the month must be reported on Form Cat. No. 1078, showing, under the heading "Remarks," the date when the case was reported to the United States attorney. Fines:

(*d*) All fines disposed of during the month must be reported on Form Cat. No. 1032. In connection with this form, the account current (Form Cat. No. 1030) must be used.

(*e*) At the close of June and December in each year, semiannual reports, on Form Cat. No. 1079, must be rendered, showing all unsettled cases on hand and explaining the cause of delay in disposing of them.

RULES RELATING TO DEPORTATION.

RULE 31. *Deportation, aliens subject to.*—Aliens of the following classes are subject to arrest, upon the warrant of the Secretary of Commerce and Labor, and to deportation to the country whence they came, at any time within three years after landing or entry: Deportation, aliens subject to:

(*a*) Aliens who, at the time of entry, belonged to any of the classes of persons enumerated and defined in section 2 of the Immigration Act or in the Executive order of March 14, 1907, and who should, therefore, have been then excluded. (Secs. 20, 21.) Members excluded classes;

(*b*) Aliens who become public charges from causes existing prior to landing. (Sec. 20.) Public charges;

(*c*) Alien women or girls who are found to be inmates of a house of prostitution or practicing prostitution. (Sec. 3.) Prostitutes;

(*d*) Aliens who are found to have entered the United States at any other place than at the seaports thereof or at one of the ports or places designated in Rules 24 and 26 hereof, and aliens found to have entered at a seaport, but at any time or place other than as designated by the immigration officers. (Secs. 18, 38.) Those entering surreptitiously.

RULE 32. *Public charges from prior causes.*—The case of every alien found to have become a public charge from causes existing prior to landing should be reported to the immigration officer stationed nearest the place where the alien is confined. This report *must be accompanied by*— Public charges from prior causes: Reporting cases of;

(1) An unequivocal certificate (Form 534) of the *principal medical officer* of the institution of which the alien is an inmate, setting forth: Medical certificate of;

(*a*) That the alien is a public charge, and giving: Date of admission to the institution; date and port of foreign embarkation; ship and line by which arrived; date and port of American debarkation; correct name; name under which manifested; age; nationality; and citizenship. Data for verifying landing of;

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Public charges from prior causes: Exact condition to be shown;

(*b*) An accurate statement in plain terms of the mental or physical disability of the alien, covering any and all complications which his condition may present; also his present condition with reference to the degree of helplessness to which reduced; the probability of a cure, or the degree to which health and ability to become self-supporting may be restored; and in insanity cases, whether recurrent attacks might be expected if recovery from present onset were effected.

Statement of causes required;

(*c*) A full and complete recital of the causes to which are attributed the alien's condition as a public charge.

Origin of causes.

(*d*) Whether such causes are considered to have existed prior to or to have arisen subsequent to landing; and if believed to have existed prior to landing, stating specifically the reasons upon which belief in prior cause is based, or, in other words, the features of the case which justify such a conclusion.

Copy of history required.

(2) A *complete copy* of the clinical or general history of the case as shown by the hospital records, and including the statements of relatives and friends.

Commitment papers;

(3) In the cases of insane patients, a copy of the commitment papers containing the grounds alleged by the examining physicians as the basis for commitment.

Further certificate required if possible;

(4) Before applying for a warrant in accordance with Rule 34, the immigration officer to whom the foregoing report is made shall, whenever practicable, cause the alien to be examined by an officer of the Public Health and Marine-Hospital Service, whose certificate should accompany the application for a warrant.

Public charges:

RULE 33. *Public charges, medical certificate.*—In the event that the examining medical officer is able definitely

Medical certificate concerning.

to certify that an alien was, at the time of landing in the United States, afflicted with insanity, idiocy, imbecility, feeble-mindedness, epilepsy, tuberculosis, or a loathsome or dangerous contagious disease, such a certificate will be regarded as prima facie evidence of entry in violation of section 2 of the Immigration Act, and, in the absence of satisfactory evidence to the contrary, the alien will be deported in accordance with the provisions of sections 20 and 21.

Deportation:

RULE 34. *Deportation, application for warrant.*—Every

Application for warrant of.

immigration officer receiving a report in conformity with Rule 32, accompanied by a medical certificate that complies with either Rule 32 or Rule 33, shall communicate with the officer in charge at the port of entry and, if landing is verified from the official records, shall make application for warrant in the manner provided by Rule 35. Such aliens will not be removed from the institutions in which they are confined until after due hearing and after an order of deportation is issued, or unless special instructions for removal are incorporated in the warrant.

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RULE 35. *Deportation, procedure.*—In enforcing sections 20 and 21 of the act approved February 20, 1907, the following instructions regarding applications for warrants of arrest and deportation will be observed: Deportation, procedure:

(*a*) All applications for warrants must be made, if possible, upon blank form No. 565, which will be furnished upon written request to the Commissioner-General of Immigration, Department of Commerce and Labor, and which must be filled out in accordance with the printed lines contained therein, and be accompanied by the certificate of landing or entry (Form No. 564) hereinafter prescribed, or if not so accompanied the reasons for the absence of such certificate must be given, and in that case all the facts called for in the blank form of said certificate shall be set forth in the application, so far as the facts are ascertainable. Application for arrest warrant;

(*b*) A full statement must be made in every such application of the facts, supported if practicable by affidavits, which show the presence in the United States of the alien whose arrest and deportation is sought to be in violation of law. Affidavits to accompany;

(*c*) The certificate of landing in or entry into the United States must contain a complete statement in detail of all the facts disclosed as to any such alien by the manifest or list containing his name, with an attached certificate by the officer in charge of such manifest that the information given agrees in all particulars with the record of such alien in said list or manifest. Verification of landing;

(*d*) Telegraphic application for warrants should be avoided so far as possible, but, if the circumstances of any particular case make it absolutely necessary to resort to request by wire, such request must state that the foregoing regulations have been complied with, and that the form of application and certificate hereinbefore mentioned have been forwarded to the Department, and must give the substance of the statement of facts contained in the said application and certificate. In order to obviate any possible legal difficulty in the service of the telegraphic warrant, the Department will confirm the telegram by sending in the next outgoing mail a formal written warrant. The statement of facts, contained in the telegraphic application, therefore, must be sufficiently complete and specific to form the basis of the formal warrant. Telegraphic application for arrest warrant;

(*e*) If, upon the receipt of any such application and certificate or of the request by wire provided for in paragraph (*d*), either completely in conformity with these regulations or accompanied by a satisfactory explanation of inability to comply therewith, it appears to the Secretary that the alien whose arrest and deportation is sought is in the United States unlawfully and that the time within which he can be deported has not expired, a warrant for his arrest will be issued directing that he be taken before an officer or officers named therein, and there be given full opportunity to show cause, if there be any, Issuance of arrest warrant;

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Deportation, procedure:

why he should not be deported, and as soon as arrested said alien shall be apprised of his right to be represented by counsel, and he and his counsel shall have the right to inspect all the evidence upon which the Secretary has acted in directing said alien's arrest, and be given an opportunity to offer evidence and submit an argument in his behalf, and be given an opportunity to inspect and make a copy of the report of the hearing and of the findings of the officers before whom it is held. In case said alien is unable to understand or to speak the English language, an interpreter shall, if possible, be secured for the hearing, authority for payment of a reasonable compensation to be obtained by special request therefor; and in the event that the alien is physically or mentally incapable of testifying, his relatives, friends, or acquaintances shall be questioned.

Hearing under arrest warrant;

Medical certificate;

(*f*) The record of the hearing accorded an alien who is insane or has become a public charge shall be supplemented by a *written* certificate of the medical officer in charge of the institution in which the alien is confined, showing whether such alien is in condition to be deported without danger to life.

Release under bond;

(*g*) Pending decision upon the case the arrested alien shall be released from custody, provided there is furnished, as required by the proviso to section 20, a satisfactory bond, running to the United States and conditioned for the production of the alien to the immigration officers for hearing or hearings and for deportation in the event of the issuance of a departmental warrant of deportation. The sureties on such bond shall be parties of ascertained responsibility; and in preparing the bond a blank form supplied by the Bureau of Immigration and Naturalization will be used. No alien so arrested shall be released, however, until the bond offered on his behalf has been approved by the Secretary.

Sureties on bond;

Issuance of deportation warrant;

(*h*) If, after the receipt of the report of such hearing, it shall appear to the satisfaction of the Secretary, from all the evidence, that such alien is in the United States in violation of law and that the time within which he can be deported has not expired, a warrant will be issued for his deportation.

Care to be exercised in conducting investigation;

(*i*) Officers are directed to make thorough investigation of all cases where they are credibly informed, or have reason to believe, that a specified alien is in the United States in violation of law. It is not permissible for officers to resort to any form of intimidation, by threats, violence, or otherwise, in order to extort from any suspected alien or from any other person the information to be embodied in the application for the warrant of arrest. Officers are specially cautioned not to lend their aid in causing the arrest of aliens upon charges arising out of personal spite or enmity, unless the truth of such charges is clearly established.

Notice to steamship company;

(*j*) In every case in which a warrant of deportation is issued under sections 20 and 21, the immigration official

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Deportation, procedure:

in charge at the port from which deportation is to be made shall notify the steamship line, on a vessel of which the alien is to be placed, of the intended deportation as promptly as possible after receipt of the departmental warrant and of advices from the officer under whose supervision the arrest and hearing in the case have been effected. And in all such cases care shall be exercised by all immigration officials concerned to furnish the steamship officials with full and exact information concerning the name, destination, condition of health, etc., of the alien to be deported.

Attendant to seaport.

(*k*) If the conditions are such that an attendant (or matron) will be required to assist in conveying an alien from an inland point to the seaport of deportation, special request for authorization therefor should accompany the record of hearing under a warrant of arrest. Such attendants will be allowed a nominal compensation of *one dollar* and traveling expenses both ways. This rate must not be exceeded in any instance without special authorization, based upon extraordinary conditions, to be fully set forth for the guidance of the Department.

Arrest and deportation:

Expense of maintenance during proceedings, how borne;

RULE 36. *Deportation, cost of maintenance.*—The cost of maintaining aliens during the pendency of warrant proceedings under the preceding rule is a proper charge against the appropriation "Expenses of regulating immigration;" but in the cases of aliens who have become public charges from causes existing prior to landing in the United States, such cost shall not be allowed for any period preceding the date of original notification to an officer of the Immigration Service, and even then only in the event that the Department, upon investigation, orders the deportation of the alien. If proceedings against a procurer or contractor are instituted in accordance with section 3, 5, or 20 of the Immigration Act, immigration officers should report to the United States district attorney the amount of the cost of deporting the alien, including one-half of the entire cost of removal to the port of deportation, so that a proper effort may be made to recover such expense from the procurer or importer and the reimbursement of the Government and the transportation company for their respective parts thereof.

Method of obtaining reimbursement when importers are prosecuted.

Deportation:

Procedure in cases of insane or diseased aliens;

Aliens requiring special care and attention—

RULE 37.[a] *Deportation, procedure in cases of insane or diseased aliens requiring special care and attention.*—(*a*) When deportation is to be effected, under sections 20 and 21, and the alien is disabled or mentally or physically diseased, the immigration officer charged with the investigation of the case shall obtain from the physician (if practicable a surgeon of the Public Health and Marine-Hospital Service) having personal knowledge of the condition of the alien's health a statement showing such condition in terms that will enable the Department to

[a] For special regulations regarding arrest and deportation of prostitutes and procurers, and anarchists and criminals, see Department Circulars Nos. 156 and 163, respectively.

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Deportation: determine whether the alien, if deported, will require special care and attention, which statement shall accompany the report of the hearing of the case forwarded to the Department.

Procedure in cases of— (*b*) If, upon considering the report of the hearing, the Department decides that the alien is deportable and issues a warrant of deportation, the physician's statement described in paragraph (*a*) hereof, taken in conjunction with such further evidence of physical or mental condition as is brought out by the hearing, will be made the basis for determining whether direction shall be given

Returns by vessels concerning; that the steamship line by which deportation is to be effected shall be called upon to submit to the Department returns covering the ocean voyage and delivery of the alien to the transoceanic port, and foreign land trip and delivery of alien at final destination, in accordance with paragraph (*c*) hereof.

Delivery of forms of returns; (*c*) If the Department indicates in issuing its warrant of deportation that, in its opinion, the mental or physical condition of the alien is such as to require particular care and attention during the ocean voyage and foreign land trip, the commissioner or inspector in charge shall, when delivering the alien to the master or first or second officer of the steamship by which the return of the alien is to be made, place in the hands of such officer a statement of particulars (Form No. 597) and blank receipt and blank returns attached thereto (lettered, respectively, "A," "B," "C," and "D"), the receipt ("B") to be immediately signed by such steamship officer and returned to the officer delivering the alien, and the blank returns ("C" and "D") to be filled out in due course by appropriate officials of the steamship line and mailed to the commissioner or inspector in charge at the port of deportation, in accordance with instructions given in the statement of particulars.

Preparation of returns; (*d*) In preparing the statement of particulars, care will be exercised to furnish exact and full information of the character indicated by the language and blank spaces of the form. The number of the departmental warrant in cases of *deportation*, and the file number of the correspondence in cases of *return*, shall be inserted by the immigration employee charged with the duty of filling out the blanks in the appropriate space at the top of each sheet ("A," "B," "C," and "D") of the blank. Sheets "A" and "B" will be completely filled out (except signature) by such immigration employee; and sheets "C" and "D" will be left blank, except for the careful insertion of the number, it being intended that the steamship officials shall fill out such sheets. Both the original and the carbon copy of sheets "B," "C," and "D" will be delivered to the master or first or second officer of the vessel in whose charge the alien is placed; but of Sheet "A" only the original will be so delivered, the carbon copy being retained in the records of the immigration station.

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Deportation: Mailing of returns;

(*e*) The commissioner of immigration or inspector in charge by whom the statements of particulars are delivered to steamship masters shall see that in due course the returns, properly and completely filled out, are mailed to him. Any failure on the part of steamship companies so to do, as well as any circumstance, or anything contained in the returns, indicating failure upon the part of the officials of a vessel to accord proper care and attention to a deported alien and to deliver him into proper custody at his final destination, shall be reported to the Department fully and in detail.

To be to transoceanic port;

RULE 38. *Deportation, where to.*—The deportation of aliens as prescribed in Rules 30 to 36 hereof shall be to the foreign trans-Atlantic or trans-Pacific port from which such aliens embarked for the United States; or, if such embarkation was for foreign contiguous territory, to the foreign port at which they embarked for such contiguous territory. (Sec. 35.)

Of public charges from subsequently arising causes;

RULE 39. *Deportation by consent.*—Any alien who has been lawfully landed, but who has become a public charge from subsequently arising physical inability to earn a living, may, by consent of the alien and with the approval of the Bureau of Immigration and Naturalization, be deported within one year from date of landing at the expense of the immigrant fund: *Provided*, That such alien is delivered to the immigration officers at a designated port free of charge; and the charges incurred for the care and treatment of any such alien in any public or charitable institution from the date of notification to an officer of the Bureau until the expiration of one year after landing may be paid from the immigrant fund at fixed rates agreed upon.

Expense, how borne.

RULES RELATING TO TRANSIT.

Transits: To be examined;

RULE 40. *Aliens in transit.*—Every alien seeking a landing for the purpose of proceeding directly through the United States to a foreign country shall be examined, and, if found to be a member of any one of the excluded classes, shall be refused permission to land, in the same manner as though he intended to remain in the United States. Cases where a refusal of the privilege would entail exceptional hardship may be reported to the Secretary for a special ruling.

Cases exceptional hardship to be reported.

Head tax must be deposited on account of;

RULE 41. *Aliens in transit, head tax for.*—(*a*) No alien desiring admission at a port of the United States for the professed purpose of proceeding directly therefrom to foreign territory shall be permitted to land thereat except after deposit with the collector of customs at said port, by the master or owner of the vessel or by a representative of any other mode of transportation by which such alien is brought, of the amount of the head tax (four dollars) prescribed by section

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Transits:

Head tax to be refunded on proof of departure;

1 of the Immigration Act, said amount to be refunded upon proof satisfactory to the immigration officer in charge at the port of arrival that said alien has passed by direct and continuous journey through and out of the United States within thirty days from the date of admission, proof of such departure to be furnished within sixty days from the date of admission. Special deposits of head tax on account of aliens in transit will, at the expiration of sixty days from the date of admission, be covered into the Treasury as head tax, the cases in which proof of departure is received after the expiration of such period to be reported to the Bureau of Immigration and Naturalization for special authorization, under the provision incorporated in the legislative, executive, and judicial appropriation act approved February 3, 1905.

To be covered into Treasury at expiration of 60 days;

How then refundable;

Special system of collecting and refunding head tax on transits from Canadian territory;

(*b*) All aliens of the taxable class desiring to proceed in transit through the United States from the Dominion of Canada shall be required to furnish to the examining officer or officers guaranty of payment of head tax described in paragraph (*k*) of Rule 25 of these regulations. If admissible, aliens claiming to be in transit will be given certificate Form 523, providing for refund of head tax upon such certificate being properly indorsed by the alien and by the purser of the outgoing trans-Atlantic or trans-Pacific steamship upon which the holder of said certificate may depart from the United States; or, if the alien be passing in transit through the United States from one point in Canada to another point in Canada, then such indorsement to be made by the conductor of the train upon which the holder of the certificate departs from the United States.

On those arriving at Canadian seaports.

(*c*) Refund of head tax will be made on aliens of the taxable class, arriving at Atlantic or Pacific ports of Canada and desiring to proceed immediately in transit through the United States, to the transportation line responsible for payment of head tax on such aliens, upon proof satisfactory to the United States commissioner of immigration for Canada that said aliens have passed by direct and continuous journey through and out of the United States within the time limit specified in this rule.

Entering and leaving at same port—refund of head tax on account of;

(*d*) Even though an alien, being a "transit passenger," enters and leaves the United States at the same port the provisions of this rule shall be applied to his case to the same extent, and in the same manner so far as necessary, as though such alien entered at one port and departed through another. In the cases of those entering across the Canadian border as transient visitors, however, Form No. 569 will be used instead of Form No. 523, under the procedure laid down in paragraph (*b*) hereof.

Entering as tourists — different practice applying to;

(*e*) A class of "transit passengers" which requires somewhat different treatment in practice than "transits" as ordinarily understood and "transient visitors," whose cases are covered by the preceding paragraphs hereof,

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consists of aliens visiting the United States as tourists, on pleasure or business. With regard to such class, no payment or deposit of head tax need be required, if the immigration officers at the port of entry are satisfied that it is the *bona fide* intent of the passenger merely to visit or tour the United States. For instance, when an alien is in possession of first-class round trip or through transportation, or other circumstances are present, indicating with reasonable certainty that the passenger is a tourist, deposit should not be required; if doubt exists, he should be classed as a "transit" or "transient visitor." Transits:

MISCELLANEOUS RULES.

RULE 42. *Cattlemen.*—It is ordered that all cattlemen returning to ports within the United States holding certificates duly signed by a commissioner of immigration or an immigrant inspector shall be entitled, upon identification, to admission into the United States without further examination by the immigration officers, to whom said certificate must be presented and surrendered, which certificate must be as follows: Cattlemen: Admission of:

FORM 567.

[Stub.]

No.....
Port of
Date....., 19...
Name
Age
Native of
Employed by.....
Of
A cattleman sailing on the steamship.....
Surrendered at the port of.....
....., 19...
Height
Weight.....
Color of hair.....
Color of eyes.....
General remarks.....
.....
.....
Signature of cattleman:
.....

Cattlemen's certificate of admission. Form of certificate for.

DEPARTMENT OF COMMERCE AND LABOR,
IMMIGRATION SERVICE.

No..... PORT OF.....,
....., 19...

This is to certify that.....a native of.....age....., who is duly accredited an employee of..... sailing on the steamship....., 19..., is a cattleman from the port of.....United States of America.

The holder of this certificate will be permitted to enter the United States as a returning cattleman on presentation of this certificate and proper identification by the immigration inspector.

Height
Weight.....
Color of hair
Color of eyes
General remarks
.....

Commissioner of Immigration.

NOTE.—This certificate must be furnished by the commissioner of immigration, or immigrant inspector, to the steamship company at the port of departure. The certificate will be filled in by the United States officer and delivered to the captain of the vessel upon which the cattleman sails, who in turn will deliver the paper to the person in whose name it is issued, at the foreign port of destination, to enable the cattleman to return. Any alteration or erasure of this certificate renders it void, and if it is presented by any person other than its rightful owner it will be taken up and the holder subjected to the inspection required by law.

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Immigration officials:
Administration of oaths by.

RULE 43. *Administration of oaths.*—The authority to administer oaths conferred upon immigration officials by section 24 of the Immigration Act is limited to matters "touching the right of any alien to enter the United States." When, therefore, such officials are detailed to investigate frauds or attempts to defraud the Government, or any irregularity or misconduct of any officer or agent of the United States, section 183 of the Revised Statutes should be relied upon for authority to administer oaths to witnesses.

Posting laws:
Filing certificate of.

RULE 44. *Posting of immigration acts.*—The certificate required by section 8 of the act of Congress approved March 3, 1893, that copies of the immigration acts have been duly posted, shall be filed with the Secretary of Commerce and Labor upon the first days of January and July of each year.

Official communications:
To be sent through official channels.

RULE 45. *Official communications.*—Officers employed in the administration of the immigration and Chinese-exclusion laws are notified that all communications to the Department upon official matters must be addressed to the Commissioner-General of Immigration or to the Secretary of Commerce and Labor through official channels.

Telegraphing:
Code for.

RULE 46. *Telegraphing.*—With the object of reducing the expense of telegraphing in connection with the official business of the Immigration Service, the telegraphic code provided by the Bureau of Immigration and Naturalization will be employed to the fullest extent possible.

Uniforms:
Officers required to wear;

RULE 47. *Uniforms.*—It is hereby ordered that inspection officers and employees of the Immigration Service stationed at ports or places of entry into the United States *and elsewhere* shall, while on duty, *unless otherwise specially directed in writing*, wear uniforms designated by the Bureau of Immigration and Naturalization, said uniforms to be purchased by the said inspectors and employees.

Particulars concerning—
Suits;

(*a*) UNIFORM SUITS: Uniform suits will be made of dark blue cloth. The following are the prescribed styles:

Suits for inspectors and assistant inspectors—Coats.—Double-breasted sack, four buttons on each side, ends cut square. Two lower outside pockets, one on upper left side and small ticket pocket on right side. All outside pockets to have flaps, except upper left-hand pocket. Two inside pockets. All pockets to be of liberal size.

Vests.—Single-breasted, six buttons, collar. Four pockets without flaps. Bone buttons.

Trousers.—Plain, with side pockets, two hip pockets, and watch pocket. No stripe. Band back and front on inside at bottom.

Suits for all other officials.—Same as above, except that coat shall be single-breasted instead of double-breasted.

Buttons;

(*b*) BUTTONS: The bone buttons upon suits will be of a special pattern designed to fit brass button shells (detachable) which must be affixed and worn in all cases

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Uniforms: Particulars concerning—

while on duty. Button shells will be forwarded without cost upon application to the Bureau.

Caps;

(*c*) CAPS: Contract has been made for uniform caps, which must be paid for by the employees, the cost per cap being two dollars. If money order for this sum is forwarded to the Bureau, through official channels, full name and title of employee and size of cap wanted being stated, the same will be ordered sent direct to purchaser, express charges collect. The winter cap is made of blue cloth and the summer cap of black silk. *Unless otherwise specified*, BLUE CLOTH cap will be furnished.

Cap insignia;

(*d*) CAP INSIGNIA: Caps will be provided with appropriate insignia and lettering without charge to employees, but orders must be placed through the Bureau in every instance.

Collar insignia:

(*e*) COLLAR INSIGNIA: Inspectors in charge of stations, or of the various divisions at the principal ports of entry, will be designated by an appropriate legend worn on both sides of the front of the coat collar. These legends will be worked in gold letters upon blue cloth, and may be obtained free of cost upon application to the Bureau. The cloth strips will be attached to coat collars with hooks and eyes, so that they may readily be removed.

Service insignia;

(*f*) SERVICE INSIGNIA: Immigrant and Chinese inspectors one year in the service may be designated by a strip of gold braid upon the top of the cuff of the left coat sleeve 2 inches from the bottom of the sleeve and extending halfway around it. An additional strip may be added one-fourth inch higher than its predecessor for each year's completed service up to five years, when a small gold star may be worn in lieu of the braid, which should then be removed. For each year from five to nine, inclusive, a strip of gold braid may be added. Ten years' continuous service may be indicated by two stars, and so on. The equipments needed to comply with this requirement can be secured without charge upon application to the Bureau, the full name and exact service of the employee being stated. Insignia is issued to inspectors only. The length of service is reckoned from the date of original appointment as inspector, and must not include prior service in other capacities. In making request for insignia, give date of original appointment as inspector, or if at present wearing insignia, describe same and give date on which the last prior addition thereto was received from the Bureau.

Seasons;

(*g*) SEASONS: The time of changing from one weight of uniform to another will be governed by the change of seasons at the various stations of employees. Officers stationed in Hawaii and Porto Rico may wear white duck uniforms and caps, insignia for the latter to be procured free of cost upon application to the Bureau.

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Uniforms: Particulars concerning— Light-weight uniforms;

(*h*) LIGHT-WEIGHT UNIFORMS: Officers and employees stationed at places where the climate is too warm to admit of comfort in wearing the regular summer uniform may have their uniforms made of light material suited to the locality, subject to the stipulation that the color and style shall conform to the requirements of paragraph (*a*) hereof. The special buttons required to fit brass shells may be procured from the Bureau.

Inspections;

(*i*) INSPECTIONS: Commissioners of immigration and inspectors in charge will make reports to the Bureau on the first days of January and July regarding the condition of each part of the uniform of every employee under their respective jurisdictions, each portion of every uniform being graded as excellent, good, fair, or bad, as the case may be. Form 596 will be used in making these reports, and if any reports showing the condition to be "bad" is made, the steps that have been taken to correct this condition should be noted.

New appointees.

(*j*) NEW APPOINTEES: Officers having charge of immigration stations, districts, or ports will require employees newly appointed and ordered to report to them for duty to provide themselves with standard uniforms within thirty days from the date of assignment to duty, and will see that the *full uniform* is worn by all employees, as herein provided.

STATISTICAL RULES.

Manifests required by law: All passengers incoming;

RULE I. (*a*) The passenger act, approved August 2, 1882 (22 Stat., 186), and the act amendatory thereof, approved February 9, 1905 (33 Stat., pt. 1, p. 711), require that masters of vessels shall deliver to collectors of customs at United States ports lists or manifests of *all passengers* arriving from foreign ports.

Aliens incoming; Aliens outgoing; Aliens from insular possessions;

(*b*) By section 12 of the Immigration Act, approved February 20, 1907, masters of vessels are required to deliver manifests of aliens arriving in the United States to immigration officers in charge at port of arrival, and manifests of aliens departing from the United States to collector of customs at port of departure. The said act also requires that manifests of aliens sailing from the Philippine Islands, Guam, Porto Rico, and Hawaii for any port of the United States on the North American Continent shall be delivered to the immigration officers at such continental port of arrival.

Blanks for, furnished by Department.

(*c*) Blank forms for use in the preparation of manifests are furnished by the Department, the numbers employed for the above-mentioned purposes, respectively, being: For all passengers incoming, Form 1440; for aliens incoming, Forms 500, 500–A, and 500–B; for aliens outgoing, Forms 628, 628–A, and 628–B; and for aliens from insular possessions, Form 629.

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General inward passenger movement:

Duties of collectors concerning;

RULE II. (*a*) Collectors of customs shall prepare from the passenger lists (Form 1440) which are in their custody a monthly statement showing, by sex, the total number of United States citizens and total number of passengers arriving each month, and deliver such statement to the immigration officer in charge at the port of entry.

(*b*) Collectors should exercise such supervision over the preparation of passenger lists as lies within their power, and should provide facilities for the examination of said lists by immigration officers with a view to prevent or to correct errors therein.

Duties of immigration officers concerning.

RULE III. (*a*) Immigration officers are directed to prepare from statements furnished by collectors and from data taken from inward alien manifests (Forms 500, 500–A, and 500–B) monthly reports on Form 619, showing (1) total number of immigrant aliens admitted, by sex; (2) total number of nonimmigrant aliens admitted, by sex; (3) total number of United States citizens arrived, by sex; (4) total number aliens debarred, by sex.

(*b*) In preparing this information from two sources, one of which is not checked by any Government officer, immigration officials should be watchful for inconsistencies, especially with regard to the data taken from passenger lists, and, when necessary, should examine those lists with a view to avoid or to correct errors.

Alien inward passenger movement:

Data to be compiled from manifests covering—

RULE IV. From the manifests of inward-bound alien passengers (Forms 500, 500–A, and 500–B) shall be compiled the following data: Whether immigrant or nonimmigrant alien; age; sex; calling or occupation; whether able to read and whether able to write; race or people; country of last permanent residence; destination (future permanent residence); amount of money; whether ever before in the United States; by whom passage was paid; whether going to join relative or friend, and if so, whom; whether admitted or debarred; if debarred, cause therefor.

Manner of reporting;

RULE V. The above information shall be transferred to monthly statistical reports, that for immigrant aliens admitted to Form 601–606 and 619, inclusive, and that for nonimmigrant aliens admitted to Form 619, 620, and 651–656, inclusive.

Revision of manifests covering—

Officers to inform themselves of duties respecting;

RULE VI. Inspectors and other employees should familiarize themselves with the character of data required for statistical purposes, as herein set forth, in order that the different items of information may be properly checked and revised on the inward alien manifests (Forms 500, 500–A, and 500–B) during the personal examination of aliens, whether they arrive in the first or second cabin or steerage. After the revision the entries upon manifests should be sufficiently complete to enable statisticians to compile intelligently and accurately therefrom the statistical data required.

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Alien inward passenger movement:

Meaning of terms employed in manifests and statistics of and instructions regarding—

"Immigrant aliens;"

"Nonimmigrant aliens;"

RULE VII. Arriving aliens whose permanent residence has been outside of the United States, and who intend to reside permanently in the United States, are classed as immigrant aliens. This includes residents and citizens of foreign contiguous territory. Immigrant aliens admitted will be reported in statistics on Form 601–606 and 619.

RULE VIII. Alien residents returning from a temporary trip abroad, and aliens residing abroad, coming to the United States for a temporary trip, shall be classed as nonimmigrant aliens (except as provided by Rule IX). Inspection officers engaged in revising manifests are directed to see that all nonimmigrant aliens are distinctly indicated as such on manifests. Nonimmigrant aliens admitted should be reported on statistical Forms 619, 620, and 651–656.

One-year residents of foreign contiguous territory;

RULE IX. Aliens who have resided in foreign contiguous territory for one year or more and who are coming to the United States only for temporary sojourn therein should not be reported as nonimmigrant aliens and should not be recorded in any immigration report. Aliens who have resided in foreign contiguous territory less than one year, who come for temporary sojourn, should be recorded as nonimmigrant aliens.

"Calling or occupation;"

RULE X. (*a*) Occupations should be described as definitely as possible in manifests, as, for example, civil engineer, mining engineer, locomotive engineer, stationary engineer, brass polisher, steel polisher, iron molder, wood turner, etc., and not simply as engineer, polisher, molder, turner, or other indefinite designation.

Divisions of;

(*b*) The various occupations are classified in statistical reports under three general heads, namely, "Professional," "Skilled," and "Miscellaneous." Dependent women and children and other aliens without occupation should be classified as "No occupation." Occupations not listed in said reports should be recorded by statisticians as "Other professional," "Other skilled," or "Other miscellaneous." In determining to which of these three classes aliens belong, the following instructions should govern:

Professional occupations;

(*c*) *Professional.*—Occupations which properly involve a liberal education, or its equivalent, and mental rather than manual labor, should be classed as "Professional."

Skilled occupations;

(*d*) *Skilled.*—Occupations which properly involve special training and manual dexterity, as the learning of a trade, should be classed as "Skilled."

Miscellaneous occupations;

(*e*) *Miscellaneous.*—Occupations other than professional and skilled should be classed as "Miscellaneous."

Farmers and farm laborers;

(*f*) A distinction should be made between farmers and farm laborers. A farmer is one who operates a farm, either for himself or others. A farm laborer is one who works on a farm for the man who operates it. Steamship companies should make this distinction on manifests, and corrections should be made, if necessary, by inspection officers during the examination of aliens.

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Alien inward passenger movement:

Meaning of terms employed, etc.—

RULE XI. (*a*) "Race or people" should be determined by the stock from which aliens sprang and the language they speak. Special attention should be paid to showing this information independently either of country as representing nationality or country as representing last permanent residence, and with respect to these points manifests should be carefully revised by inspection officers. For the convenience of steamship companies and inspection officers, a list of races is shown on the back of manifests. Certain distinctions with regard to race or people are pointed out, as follows:

"Race or people;"

Distinctions regarding:

(*b*) *Cuban.*—The term "Cuban" refers to the Cuban people (not Negroes).

"Cuban;"

(*c*) *West Indian.*—"West Indian" refers to the people of the West Indies other than Cuba (not Negroes).

"West Indian;"

(*d*) *Spanish-American.*—"Spanish-American" refers to the people of Central and South America of Spanish descent.

"Spanish-American;"

(*e*) *African (black).*—"African (black)" refers to the African Negro, whether coming from Cuba or other islands of the West Indies, North or South America, Europe, or Africa. All aliens whose appearance indicates an admixture of negro blood should be classified under this heading.

"African (black);"

(*f*) *Italian (North).*—The people who are native to the basin of the River Po in northern Italy (i. e., Compartments of Piedmont, Lombardy, Venetia, and Emilia), and their descendants, whether residing in Italy, Switzerland, Austria-Hungary, or any other country, should be classed as "Italian (North)." Most of these people speak a Gallic dialect of the Italian language.

"Italian (North);"

(*g*) *Italian (South).*—The people who are native to that portion of Italy south of the basin of the River Po (i. e., Compartments of Liguria, Tuscany, the Marches, Umbria, Rome, the Abruzzi and Molise, Campania, Apulia, Basilicata, Calabria, Sicily, and Sardinia), and their descendants, should be classed as "Italian (South)."

"Italian (South);"

"Country of last permanent residence;"

RULE XII. An intended residence of twelve months, whether past or future, shall constitute "permanent residence." The last country in which alien resided with the intention of remaining as long as twelve months shall be the "last permanent residence" regardless of the length of actual residence therein. The last permanent residence should be entered in column 10 of Manifest. Intended future permanent residence should be entered in column 12 as representing "final destination." Name of the State and city should be given if within the United States; name of country if outside of the United States.

"Amount of money brought;"

RULE XIII. (*a*) Money brought by the head of a family should not be divided among the several members thereof.

(*b*) On Form 602 under the head of "Aliens bringing less than $50" should be recorded only aliens with money, but less than $50.

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Alien inward passenger movement:

Meaning of terms employed, etc.—"Admitted and debarred;"

RULE XIV. (*a*) Aliens should be reported as admitted or debarred in the month in which final action is taken, regardless of the date of arrival of the ship bringing them. Aliens debarred should not be reported as debarred until placed on shipboard for deportation, and then should be recorded in the monthly statistics only on Forms 602–A and 619. The number of immigrant and nonimmigrant aliens actually admitted and the number of aliens debarred, as reported in the monthly statistical reports, should correspond with the numbers entered on lines 1, 2, and 3 of the monthly agreement statement (Form 519). The total of quarter-monthly reports of aliens debarred should correspond with the number so recorded on Forms 602–A, 619, and 519.

Debarred residents of foreign contiguous territory;

(*b*) Aliens applying for admission from foreign contiguous territory who have resided therein less than one year, and those who have resided therein for one year or more who apply for admission with the intention of permanent residence in the United States, if debarred, shall be reported on Forms 602–A, 619, and 519. Aliens from foreign contiguous territory who have resided therein more than one year and who apply for admission only for temporary sojourn in the United States if debarred should be reported only on Form 580.

Monthly statistical reports on, and method of preparation—

RULE XV. (*a*) The work of compiling statistical information at each port should be kept closely up to date, and the statistical reports on Forms 601–606, 619, 620, and 651–656, should be forwarded to the Bureau at the earliest possible moment after the close of each month, accompanied by the statement of agreement on Form 519, and reports of appeals. To assist in accomplishing this end the following instructions should be observed by the larger ports:

Instructions re, for larger ports;

Use of tally and transfer sheets of;

(*b*) Blank tally and transfer sheets, to which statistical information is transferred from the original manifests, are furnished for use at the larger ports. The various items of statistical information for a convenient number of aliens should be transferred to the tally sheets (Forms 611 and 612), which should be added and balanced to prove their accuracy and then entered on transfer sheets (Forms 613–618). The transfer sheets should carry the record for an entire month, and when added and balanced at the close thereof the data should be recorded in the monthly statistical reports.

Disposition and method of recording on manifests;

(*c*) Manifests should form a permanent record of the disposition of all arriving aliens. On primary inspection all aliens admitted and all aliens detained should be so designated on manifests. Day by day, as final disposition is made of those detained on primary inspection, record thereof should be made opposite the names on the manifests, and also on the cards mentioned in the following paragraph in cases where statistical data regarding

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Alien inward passenger movement:

Monthly statistical reports, etc.—

Debarred aliens to be regarded as "pending" until deported:

Use of "Statistical data for detained alien" cards, in preparing;

the aliens have been entered on such cards. Debarred aliens should be considered as detained (pending) until actually placed on shipboard for deportation.

(*d*) Thus, at the time the statistical information is tallied from the manifests such manifests will show which aliens, up to date the tally is made, have been actually admitted, which finally debarred, and which are still detained (pending). The statistical data with regard to those shown on manifests as actually admitted, and debarred, at the time the tally is made should be regularly transferred to tally sheets; for aliens still detained (pending), however, the data should not then be transferred to tally sheets, but to cards (Form 600) entitled "Statistical data for detained alien."

Disposition entered thereon;

(*e*) When the admissibility of the aliens recorded on these cards is finally determined, the disposition and date of disposition should be entered on the card (and also on the manifest), and the statistical data regarding such aliens should then be transferred direct from the cards to the tally sheets, avoiding the necessity of going through the manifests a second time for statistical data regarding aliens whose admissibility was undetermined when the first tally was made.

Data to be transferred from cards to tally sheets;

Closing of month's business;

(*f*) The tallying for the month should be completed on the day following the close thereof. Statistical information with regard to aliens still detained at the close of the month (and therefore not included in the month's statistics) should by this plan be entered on cards, which will offer a convenient means of separating aliens pending at close of month.

Reports concerning, and method of preparation—

Daily of arriving quarter-monthly of debarred and returned, and weekly of detained aliens;

What aliens not included in;

Included in;

RULE XVI. (*a*) Daily reports of alien arrivals, quarter-monthly reports of aliens debarred and returned, and weekly reports of aliens detained should be regularly forwarded to the Bureau of Immigration and Naturalization after the close of the periods to which they relate. Aliens who refuse to pay head tax and stowaways are not considered to be applicants for admission and are not recorded in said reports. Aliens who have resided continuously in Canada, Newfoundland, or Mexico for one year or more next preceding application for admission to the United States (unless coming for permanent residence in the United States), and arrivals in continental United States from insular possessions, are not accounted for in immigration statistics. They should not, therefore, be included in these reports. All other arriving aliens, including those who have resided in Canada, Newfoundland, or Mexico for one year or more who are coming for permanent residence, all aliens who have resided in Canada, Newfoundland, or Mexico less than one year, citizens of Cuba, alien Chinese, and deserting alien seamen, whether or not apprehended, should be included in these reports.

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Alien inward passenger movement:
Reports concerning, and method of preparation—
Particulars regarding daily reports;

(*b*) In daily reports, entries on each line under the head of "Total alien arrivals" should represent the total of entries under the heads of first and second cabins, steerage, and deserting alien seamen. Each column should also be totaled at the bottom. The total number reported in the daily reports during the month should be shown on line 18 of the monthly agreement statement.

Particulars regarding quarter-monthly reports;

(*c*) In preparing quarter-monthly reports of debarred aliens, while it is expected that all required information will be carefully recorded therein, especial care should be exercised to accurately record the foreign port of embarkation, steamship line, and cause of deportation. Under the latter heading names of diseases should be shown in cases of aliens deported because of disease. The total recorded on these reports each month should agree with the number reported in Forms 602–A and 619, and the number recorded on line 3 of the monthly agreement statement.

Statutory reasons for debarment to be given;

(*d*) As no alien can be debarred from the United States except for a statutory reason, no other reason for exclusion should be given in statistical reports. A list of causes of exclusion is given on Form 602–A.

Monthly reports of appeals and bond cases;

RULE XVII. The monthly reports of appeals and applications for admission under bond to the Department should show the number of persons whose admission or rejection depends upon the decision of the Department. Appeals and applications under the immigration laws should be reported on Form 547; appeals under the laws governing the admission of Chinese on Form 428. Appeals for all classes of aliens, including all residents of Canada, Newfoundland, or Mexico, should be included in these reports.

Statement of agreement.

RULE XVIII. The statement on Form 519 should show an agreement between aliens accounted for in the monthly statistics, arrivals reported in daily reports, and the amount of head tax collected, and should be forwarded to the Bureau accompanied by the monthly statistical reports and reports of appeals. The entries on lines 1, 2, and 3 of the agreement statement should correspond, respectively, with the totals shown in the statistical reports of "Immigrant aliens admitted," "Nonimmigrant aliens admitted," and "Aliens debarred." The total number reported in the daily reports during the month should agree with the entry on line 18, and the total number on account of whom head tax is collected should correspond with the entry on line 38. Instructions accompanying the statement of agreement give detailed information with regard to its preparation.

Special instructions regarding exceptional cases—
Residents of British North America and Mexico.

RULE XIX. Aliens who have resided in Canada, Newfoundland, or Mexico continuously for one year or more next preceding application for admission to the United States are exempt from head tax. If such aliens come to the United States for permanent residence, they should

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be manifested and included in statistics as immigrant aliens and should be included in other immigration reports. If they come only for temporary sojourn, they should not be manifested (but a record should be made of their admission for possible future use, if verification of entry should be required) and should not be recorded as nonimmigrant aliens, and should not be included in statistics nor in other immigration reports, unless debarred, in which case they should be reported only on Form 580, report of aliens refused admission from foreign contiguous territory. Aliens who have resided in Canada, Newfoundland, or Mexico less than one year and all residents and citizens of Canada, Newfoundland, or Mexico coming from countries other than Canada, Newfoundland, or Mexico are manifested, and are included in statistics the same as other aliens who come from countries other than Canada, Newfoundland, Mexico, or Cuba.

Alien inward passenger movement:
Exceptional cases—

RULE XX. Aliens who have resided in Cuba for one year or more next preceding departure for the United States are exempt from head tax, but all aliens from Cuba should be regularly manifested, examined as to their admissibility, and included in statistics and other immigration reports.

Residents of Cuba;

RULE XXI. Citizens of Porto Rico, the Philippine Islands, Guam, and the Hawaiian Islands are exempt from the provisions of the immigration laws, and should not be examined thereunder or reported in immigration statistics or other immigration reports. Alien Chinese from island possessions, however, are subject to the laws governing the admission of Chinese. (See sec. 1, act of April 29, 1902, 32 Stat., part 1, p. 176.) All aliens from such possessions should be manifested on Form 629.

Citizens of and aliens from insular possessions;

RULE XXII. Aliens arriving in this country en route to any of the island possessions of the United States are to be examined under the immigration laws as to their right of entry, are subjects for head tax if belonging to the taxable class, and are to be included in immigration statistics and other immigration reports in the same manner as if their destination were within continental United States.

Arriving aliens en route to insular possessions;

RULE XXIII. Whether or not apprehended, deserting alien seamen should be reported in daily reports of arrivals. Head tax should be collected, if they belong to the taxable class, and held as special deposit. Upon proof being presented, however, by masters of vessels within three months after date of desertion that alien has departed from the United States, said head tax may be refunded. If at the expiration of three months proof of departure has not been received, deposit will be regularly paid into head tax account. Deserting alien seamen should not be reported in the immigration statistics unless apprehended, and then only in the absence of an intention to reship. The total number of deserting alien seamen included in each month's daily reports should

Deserting alien seamen;

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Alien inward passenger movement:

correspond with the entry on line 6 of the monthly agreement statement. The number apprehended and included in the statistics should correspond with the entry on line 15 of the said agreement statement.

Exceptional cases—

Stowaways;

RULE XXIV. Stowaways are not regarded as aliens applying for admission to the United States and they should not be included in immigration statistics. The number of such cases each month should, however, be reported on line 40 of agreement statement (Form 519).

Aliens who refuse to pay head tax;

RULE XXV. Aliens applying for admission who refuse to pay head tax should not be considered as applicants for admission, and should not be reported in any immigration report. The number of such cases should, however, be reported on line 41 of agreement statement (Form 519).

Aliens who die or escape;

RULE XXVI. If aliens who have been included in daily reports of arrivals die or escape before admission or deportation, they should not be included in statistical reports, but should be accounted for on lines 9 and 10 of agreement statement. If such escaped aliens are afterwards apprehended, they should be regularly entered in the monthly statistical reports and again accounted for on line 16 of agreement statement.

Chinese subject to immigration laws and regulations;

RULE XXVII. Chinese should be listed in the regular inward alien manifests (Forms 500, 500–A, and 500–B) and examined under the immigration laws, in addition to being listed in Chinese manifests (Form 418), examined, and reported in the quarter-monthly reports, under the Chinese regulations. Alien Chinese are subjects for head tax, and should be reported in regular immigration statistics and other immigration reports. Chinese admitted as aliens under the laws governing the admission of Chinese shall be classed under the immigration laws as aliens, and those admitted as United States citizens shall be so considered under the immigration laws.

General outward passenger movement.

RULE XXVIII. At the close of each quarter year the collector of customs at each port will forward to the Bureau of Immigration and Naturalization a statement on Form 1171 of all passengers departed for foreign countries from his port.

Alien outward passenger movement:

RULE XXIX. Manifests of outward-bound aliens (on Forms 628, 628–A, and 628–B) shall be delivered to collectors of customs within sixty days after the departure of a vessel from a United States port. The collector of customs shall deliver the said manifests to the officer in charge of immigration matters at his port; and the said immigration officer shall cause to be prepared from said manifests monthly statistical reports of departing aliens, using Forms 621–627 and 631–636, inclusive.

Delivery of manifests covering;

Classifying emigrant and nonemigrant aliens;

RULE XXX. Departing aliens shall be divided into the two classes—emigrant and nonemigrant aliens. Those whose permanent residence has been in the United States, who intend to reside permanently outside, shall be classed

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as "emigrant aliens." Alien residents leaving the United States with the intention of remaining abroad but temporarily and alien nonresidents leaving after a temporary sojourn in the United States shall be classed as "nonemigrant aliens." Alien outward passenger movement:

RULE XXXI. Emigrant aliens departing shall be recorded in monthly statistical reports on Forms 621–626, inclusive, and nonemigrant aliens departing in monthly statistical reports on Forms 631–636, inclusive, to show sex, age, place of last residence, length of residence in the United States, country of intended future residence, race or people, and occupation. Items to be recorded in statistics concerning.

RULE XXXII. (*a*) Section 1 of the act of Congress approved June 29, 1906, entitled "An act to establish a Bureau of Immigration and Naturalization, and to provide for a uniform rule for the naturalization of aliens throughout the United States" (34 Stat., pt. 1, p. 596), provides that there shall be maintained at the various immigration stations "books of record" containing certain specified information as to every alien admitted. Record books and card indexes required by naturalization law:

(*b*) It is hereby ordered that the manifests of aliens (Forms 500, 500–A, and 500–B) shall constitute the "book of record" required by the statute referred to, and that all completed manifests shall be arranged chronologically, bound permanently in books of 150 manifests, and carefully preserved for reference. Due precautions must be taken to guard against the possible loss or destruction of manifests, whether bound or not. What shall constitute;

(*c*) Inspection officers are directed to give particular attention to procuring the supplemental information called for in columns 25 to 29 of the manifest, supplying any deficiencies which may be found to exist and carefully verifying the information set forth under the respective headings. Officers to supply deficiencies in;

(*d*) All aliens from Canada and Mexico applying for admission to the United States, except those who have resided in Canada or Mexico for one year or more who are coming for temporary sojourn in the United States, shall be regularly manifested both for statistical and naturalization purposes. What aliens from Canada and Mexico to be manifested;

(*e*) To facilitate reference to the permanent record herein constituted, the names of all aliens shall be card indexed (Form 502 being used for that purpose), a card to be made out for each and every alien admitted to the United States, except those who have resided in Canada or Mexico for one year or more who are coming for temporary sojourn in the United States. The index cards shall be carefully and accurately prepared and placed in card-index cabinets provided for that purpose, alphabetical guide cards being used, to whatever extent may be necessary, to insure proper subdivision of the record cards. Commissioners of immigration and inspectors in charge shall apply to the Bureau for any special in- Preparation of card indexes.

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Record books and card indexes required by naturalization law:

structions or information desired in regard to indexing, card cabinets, preparation and binding of manifests, etc. Whenever practicable, index cards shall be typewritten to insure legibility, black record typewriter ribbons to be used. In the event of possible confusion of the surname and given name, one card to be made for each combination, thus insuring an accurate cross-reference index.

DAN'L J. KEEFE,
Commissioner-General of Immigration.

Approved June 7, 1909.

ORMSBY MCHARG,
Acting Secretary.

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APPENDIX.

LAWS NOT REPEALED OR REENACTED BY THE IMMIGRATION ACT OF FEBRUARY 20, 1907.

ACT OF AUGUST 3, 1882.

AN ACT to regulate immigration.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there shall be levied, collected, and paid a duty of fifty cents for each and every passenger not a citizen of the United States who shall come by steam or sail vessel from a foreign port to any port within the United States. The said duty shall be paid to the collector of customs of the port to which such passenger shall come, or if there be no collector at such port, then to the collector of customs nearest thereto, by the master, owner, agent, or consignee of every such vessel, within twenty-four hours after the entry thereof into such port. The money thus collected shall be paid into the United States Treasury and shall constitute a fund to be called the immigrant fund and shall be used, under the direction of the Secretary of Commerce and Labor, to defray the expense of regulating immigration under this act and for the care of immigrants arriving in the United States, for the relief of such as are in distress, and for the general purposes and expenses of carrying this act into effect. The duty imposed by this section shall be a lien upon the vessels which shall bring such passengers into the United States, and shall be a debt in favor of the United States against the owner or owners of such vessels, and the payment of such duty may be enforced by any legal or equitable remedy: *Provided*, That no greater sum shall be expended for the purposes hereinbefore mentioned, at any port, than shall have been collected at such port.[a]

Head tax:
Amount;
By whom and to whom paid, within 24 hours after arrival;
To constitute Immigrant fund;
How collection enforced.

* * * * *

Approved August 3, 1882 (22 Stat., 214).

[a] See section 1, act February 20, 1907, and Rules 1, 2, and 3.

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ACT OF FEBRUARY 26, 1885.

AN ACT to prohibit the importation and immigration of foreigners and aliens under contract or agreement to perform labor in the United States, its Territories, and the District of Columbia.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, * * *

Contract labor:
Contracts for alien labor declared void.

SEC. 2. That all contracts or agreements, express or implied, parol or special, which may hereafter be made by and between any person, company, partnership, or corporation, and any foreigner or foreigners, alien or aliens, to perform labor or service or having reference to the performance of labor or service by any person in the United States, its Territories, or the District of Columbia, previous to the migration or importation of the person or persons whose labor or service is contracted for into the United States, shall be utterly void and of no effect.[a]

* * * * *

Approved February 26, 1885 (23 Stat., 332).

ACT OF MARCH 3, 1891.

AN ACT in amendment to the various acts relative to immigration and the importation of aliens under contract or agreement to perform labor.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, * * *

Superintendent of Immigration:
Office created; Salary fixed.

SEC. 7. That the office of superintendent of immigration is hereby created and established, and the President, by and with the advice and consent of the Senate, is authorized and directed to appoint such officer, whose salary shall be four thousand dollars per annum, payable monthly. The superintendent of immigration shall be an officer in the Department of Commerce and Labor, under the control and supervision of the Secretary of Commerce and Labor, to whom he shall make annual reports in writing of the transactions of his office, together with such special reports, in writing, as the Secretary of Commerce and Labor shall require. The Secretary shall provide the superintendent with a suitably furnished office in the city of Washington, and with such books of record and facilities for the discharge of the duties of his office as may be necessary. He shall have a chief clerk at a salary of two thousand dollars per annum, and two first-class clerks.[b]

* * * * *

Approved March 3, 1891 (26 Stat., 1084).

[a] See sections 2, 4, 5, and 6, act February 20, 1907.

[b] See section 1, act March 2, 1895, and section 22, act February 20, 1907.

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ACT OF FEBRUARY 15, 1893.

AN ACT granting additional quarantine powers and imposing additional duties upon the Marine-Hospital Service.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, * * *

Quarantine: President given extraordinary power to suspend immigration.

SEC. 7. That whenever it shall be shown to the satisfaction of the President that by reason of the existence of cholera, or other infectious or contagious diseases, in a foreign country there is serious danger of the introduction of the same into the United States, and that notwithstanding the quarantine defense this danger is so increased by the introduction of persons or property from such country that a suspension of the right to introduce the same is demanded, in the interest of the public health, the President shall have power to prohibit, in whole or in part, the introduction of persons and property from such countries or places as he shall designate and for such period of time as he may deem necessary.

* * * * *

Approved February 15, 1893 (27 Stat., 449).

ACT OF MARCH 3, 1893.

AN ACT to facilitate the enforcement of the immigration and contract-labor laws of the United States.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, * * *

Certificates: Required of steamship companies re posting laws in foreign offices;

SEC. 8. That all steamship or transportation companies, and other owners of vessels, regularly engaged in transporting alien immigrants to the United States, shall twice a year file a certificate with the Secretary of Commerce and Labor that they have furnished to be kept conspicuously exposed to view in the office of each of their agents in foreign countries authorized to sell emigrant tickets, a copy of the law of March third, eighteen hundred and ninety-one, and of all subsequent laws of this country relative to immigration, printed in large letters, in the language of the country where the copy of the law is to be exposed to view, and that they have instructed their agents to call the attention thereto of persons contemplating emigration before selling tickets to them; and in case of the failure for sixty days of any such company or any such owners to file such a certificate, or in case they file a false certificate, they shall pay a fine of not exceeding five hundred dollars, to be recovered in the proper United States court, and said fine shall also be a lien upon any vessel of said company or owners found within the United States.[a]

Penalty for failure.

* * * * *

Approved March 3, 1893 (27 Stat., 569).

[a] See Rule 44 for time of filing.

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ACT OF AUGUST 18, 1894.

AN ACT making appropriations for sundry civil expenses of the Government for the fiscal year ending June thirtieth, eighteen hundred and ninety-five, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, * * *

Commissioners of immigration: Appointed by President.

The commissioners of immigration at the several ports shall be appointed by the President, by and with the advice and consent of the Senate, to hold their offices for the term of four years, unless sooner removed, and until their successors are appointed; and nominations for such offices shall be made to the Senate by the President as soon as practicable after the passage of this act.[a]

Approved August 18, 1894 (28 Stat., 372).

ACT OF MARCH 2, 1895.

AN ACT making appropriations for the legislative, executive, and judicial expenses of the Government for the fiscal year ending June thirtieth, eighteen hundred and ninety-six, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, * * *

BUREAU OF IMMIGRATION.

Commissioner-General: Title created; Administration contract-labor laws placed under;

That the Superintendent of Immigration shall hereafter be designated as Commissioner-General of Immigration, and, in addition to his other duties, shall have charge, under the Secretary of Commerce and Labor, of the administration of the alien contract-labor laws, etc.[a]

Approved March 2, 1895 (28 Stat., 764).

ACT OF JUNE 6, 1900.

AN ACT making appropriations for sundry civil expenses of the Government for the fiscal year ending June thirtieth, nineteen hundred and one, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, * * * and hereafter the Commissioner-General of Immigration, in addition to his other duties, shall have charge of the administration of the Chinese-exclusion law and of the various acts regulating immigration into the United States, its Territories, and the District of Columbia, under the supervision and direction of the Secretary of Commerce and Labor.

Chinese-exclusion law placed under.

Approved June 6, 1900 (31 Stat., 611).

[a] See section 7, act March 3, 1891, and section 22, act February 20, 1907.

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ACT OF APRIL 29, 1902.

AN ACT to prohibit the coming into and to regulate the residence within the United States, its Territories, and all territory under its jurisdiction, and the District of Columbia, of Chinese and persons of Chinese descent.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, * * *

Fairs and expositions: Exceptions in favor of exhibitors at.

SEC. 3. That nothing in the provisions of this Act or any other Act shall be construed to prevent, hinder, or restrict any foreign exhibitor, representative, or citizen of any foreign nation, or the holder, who is a citizen of any foreign nation, of any concession or privilege from any fair or exposition authorized by Act of Congress from bringing into the United States, under contract, such mechanics, artisans, agents, or other employees, natives of their respective foreign countries, as they or any of them may deem necessary for the purpose of making preparation for installing or conducting their exhibits or of preparing for installing or conducting any business authorized or permitted under or by virtue of or pertaining to any concession or privilege which may have been or may be granted by any said fair or exposition in connection with such exposition, under such rules and regulations as the Secretary of Commerce and Labor may prescribe, both as to the admission and return of such person or persons.

* * * * *

Approved April 29, 1902 (32 Stat., part 1, p. 176).

ACT OF FEBRUARY 3, 1905.

AN ACT making appropriations for the legislative, executive, and judicial expenses of the Government for the fiscal year ending June thirtieth, nineteen hundred and six, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, * * *

BUREAU OF IMMIGRATION.

* * * * *

Head tax: Refund of, when erroneously collected.

Provided, That the Commissioner-General of Immigration, with the approval of the Secretary of Commerce and Labor, shall have power to refund head tax heretofore and hereafter collected under section one of the immigration Act approved March third, nineteen hundred and three, upon presentation of evidence showing conclusively that such collection was erroneously made.[a]

Approved February 3, 1905 (33 Stat., part 1, p. 631).

[a] See Rules 1 and 41.

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ACT OF FEBRUARY 6, 1905.

AN ACT to amend an Act approved July first, nineteen hundred and two, entitled "An Act temporarily to provide for the administration of the affairs of civil government in the Philippine Islands, and for other purposes," and to amend an Act approved March eighth, nineteen hundred and two, entitled "An Act temporarily to provide revenue for the Philippine Islands, and for other purposes," and to amend an Act approved March second, nineteen hundred and three, entitled "An Act to establish a standard of value and to provide for a coinage system in the Philippine Islands," and to provide for the more efficient administration of civil government in the Philippine Islands, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, * * *

Philippine Islands: Enforcement immigration laws therein; Collection head tax therein.

SEC. 6. That the immigration laws of the United States in force in the Philippine Islands shall be administered by the officers of the general government thereof designated by appropriate legislation of said government, and all moneys collected under said laws as duty or head tax on alien immigrants coming into said islands shall not be covered into the general fund of the Treasury of the United States, but shall be paid into the treasury of said islands to be used and expended for the government and benefit of said islands.

* * * * *

Approved February 6, 1905 (33 Stat., 689).

ACT OF MARCH 3, 1905.

AN ACT making appropriations for sundry civil expenses of the Government for the fiscal year ending June thirtieth, nineteen hundred and six, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, * * *

Subscriptions: To be paid in advance.

Provided, That the annual subscriptions for publications for use in the immigration service at large may be paid in advance.

Approved March 3, 1905 (33 Stat., part 1, p. 1156).

ACT OF JUNE 29, 1906.

AN ACT to establish a Bureau of Immigration and Naturalization, and to provide for a uniform rule for the naturalization of aliens throughout the United States.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the designation of the Bureau of Immigration in the Department of Commerce and Labor is hereby changed to the "Bureau of Immigration and Naturalization," which said Bureau, under the direction and control of the Secretary of Commerce and Labor, in addition to

Bureau of Immigration: Title changed to Bureau of Immigration and Naturalization.

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the duties now provided by law, shall have charge of all matters concerning the naturalization of aliens. That it shall be the duty of the said Bureau to provide, for use at the various immigration stations throughout the United States, books of record, wherein the commissioners of immigration shall cause a registry to be made in the case of each alien arriving in the United States from and after the passage of this Act of the name, age, occupation, personal description (including height, complexion, color of hair and eyes), the place of birth, the last residence, the intended place of residence in the United States, and the date of arrival of said alien, and, if entered through a port, the name of the vessel in which he comes. And it shall be the duty of said commissioners of immigration to cause to be granted to such alien a certificate of such registry, with the particulars thereof.[a]

* * * * *

Approved June 29, 1906 (34 Stat., part 1, p. 596).

ACT OF MARCH 2, 1907.

AN ACT in reference to the expatriation of citizens and their protection abroad.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of State shall be authorized, in his discretion, to issue passports to persons not citizens of the United States as follows: Where any person has made a declaration of intention to become such a citizen as provided by law and has resided in the United States for three years a passport may be issued to him entitling him to the protection of the Government in any foreign country: *Provided*, That such passport shall not be valid for more than six months and shall not be renewed, and that such passport shall not entitle the holder to the protection of this Government in the country of which he was a citizen prior to making such declaration of intention.

Passports:

When issued to persons not citizens;

Not valid in country of alien's former domicile.

SEC. 2. That any American citizen shall be deemed to have expatriated himself when he has been naturalized in any foreign state in conformity with its laws, or when he has taken an oath of allegiance to any foreign state.

When any naturalized citizen shall have resided for two years in the foreign state from which he came, or for five years in any other foreign state it shall be presumed that he has ceased to be an American citizen, and the place of his general abode shall be deemed his place of residence during said years: *Provided, however*, That such presumption may be overcome on the presentation of satisfactory evidence to a diplomatic or consular officer of the

Expatriation:

How effected;

How presumption overcome.

[a] For naturalization laws and regulations drawn thereunder, see pamphlet entitled "Naturalization Laws and Regulations."

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United States, under such rules and regulations as the Department of State may prescribe: *And provided also*, That no American citizen shall be allowed to expatriate himself when this country is at war.

Marriage:

How affects status of woman marrying foreigner;

SEC. 3. That any American woman who marries a foreigner shall take the nationality of her husband. At the termination of the marital relation she may resume her American citizenship, if abroad, by registering as an American citizen within one year with a consul of the United States, or by returning to reside in the United States, or, if residing in the United States at the termination of the marital relation, by continuing to reside therein.

Of foreign woman marrying American.

SEC. 4. That any foreign woman who acquires American citizenship by marriage to an American shall be assumed to retain the same after the termination of the marital relation if she continues to reside in the United States, unless she makes formal renunciation thereof before a court having jurisdiction to naturalize aliens, or if she resides abroad she may retain her citizenship by registering as such before a United States consul within one year after the termination of such marital relation.

Minor children:

Born outside United States, how citizenship resumed, and when takes effect.

SEC. 5. That a child born without the United States of alien parents shall be deemed a citizen of the United States by virtue of the naturalization of or resumption of American citizenship by the parent: *Provided*, That such naturalization or resumption takes place during the minority of such child: *And provided further*, That the citizenship of such minor child shall begin at the time such minor child begins to reside permanently in the United States.

Foreign born, citizens under sec. 1993, R. S.: Assumption of citizenship by.

SEC. 6. That all children born outside the limits of the United States who are citizens thereof in accordance with the provisions of section nineteen hundred and ninety-three of the Revised Statutes of the United States[a] and who continue to reside outside the United States shall, in order to receive the protection of this Government, be required upon reaching the age of eighteen years to record at an American consulate their intention to become residents and remain citizens of the United States and shall be further required to take the oath of allegiance to the United States upon attaining their majority.

Evidence:

To be filed with State Department.

SEC. 7. That duplicates of any evidence, registration, or other acts required by this Act shall be filed with the Department of State for record.

Approved March 2, 1907.

[a] Sec. 1993, Revised Statutes, reads as follows: "All children heretofore born or hereafter born out of the limits and jurisdiction of the United States, whose fathers were or may be at the time of their birth citizens thereof, are declared to be citizens of the United States; but the rights of citizenship shall not descend to children whose fathers never resided in the United States."

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DEPARTMENT OF COMMERCE AND LABOR

BUREAU OF IMMIGRATION AND NATURALIZATION

Immigration Laws

and

Regulations of July 1, 1907

Seventh Edition, approved October 7, 1909

Embodying Amendments to Rules 22, 26, 35, and a New Rule Numbered 48.

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GOVERNMENT PRINTING OFFICE
1909

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IMMIGRATION LAWS AND REGULATIONS.

IMMIGRATION ACT OF FEBRUARY 20, 1907.

NOTE.—The Immigration Act of February 20, 1907, repeals the act of March 3, 1903, and all prior acts or parts of acts inconsistent with the new law. In the back of this pamphlet are published such portions of the prior acts as are not repealed by or reenacted in the act of February 20, 1907; also the act of March 2, 1907, regarding expatriation. If necessary to refer to the old acts, they may be found in the pamphlets "Immigration Laws and Regulations" heretofore issued, or in the United States Statutes at Large, as follows: Note as to acts published herein.

List of immigration acts.

Act approved March 3, 1875: 18 Stat., part 3, page 477.
Act approved August 3, 1882: 22 Stat., page 214.
Act approved June 26, 1884 (sec. 22 only): 23 Stat., page 58.
Act approved February 26, 1885: 23 Stat., page 332.
Act approved February 23, 1887: 24 Stat., page 414.
Act approved October 19, 1888: 25 Stat., page 565.
Act approved March 3, 1891: 26 Stat., page 1084.
Act approved February 15, 1893 (sec. 7): 27 Stat., page 449.
Act approved March 3, 1893: 27 Stat., page 569.
Act approved August 18, 1894: 28 Stat., page 390.
Act approved March 2, 1895: 28 Stat., page 780.
Act approved June 6, 1900: 31 Stat., page 611.
Act approved April 29, 1902: 32 Stat., part 1, page 176.
Act approved March 3, 1903: 32 Stat., part 1, page 1213.
Act approved March 22, 1904: 33 Stat., part 1, page 144.
Act approved April 28, 1904: 33 Stat., part 1, page 591.
Act approved February 3, 1905: 33 Stat., part 1, page 684.

ACT OF FEBRUARY 20, 1907.

AN ACT to regulate the immigration of aliens into the United States.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there shall be levied, collected, and paid a tax of four dollars for every alien entering the United

Head tax:

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Head tax: To whom paid; By whom paid.

States.[a] The said tax shall be paid to the collector of customs of the port or customs district to which said alien shall come, or, if there be no collector at such port or district, then to the collector nearest thereto, by the master, agent, owner, or consignee of the vessel, transportation line, or other conveyance or vehicle bringing such alien to the United States. The money thus collected, together with all fines and rentals[b] collected under the laws regulating the immigration of aliens into the United States, shall be paid into the Treasury of the United States, and shall constitute a permanent appropriation to be called the "immigrant fund," to be used under the direction of the Secretary of Commerce and Labor to defray the expense of regulating the immigration of aliens into the United States under said laws, including the contract labor laws, the cost of reports of decisions of the Federal courts, and digest thereof, for the use of the Commissioner-General of Immigration, and the salaries and expenses of all officers, clerks, and employees appointed to enforce said laws. The tax imposed by this section shall be a lien upon the vessel, or other vehicle of carriage or transportation bringing such aliens to the United States, and shall be a debt in favor of the United States against the owner or owners of such vessel, or other vehicle, and the payment of such tax may be enforced by any legal or equitable remedy. That the said tax shall not be levied upon aliens who shall enter the United States after an uninterrupted residence of at least one year, immediately preceding such entrance, in the Dominion of Canada, Newfoundland, the Republic of Cuba, or the Republic of Mexico, nor upon otherwise admissible residents of any possession of the United States, nor upon aliens in transit through the United States, nor upon aliens who have been lawfully admitted to the United States and who later shall go in transit from one part of the United States to another through foreign contiguous territory:[c] *Provided*, That the Commissioner-General of Immigration, under the direction or with the approval of the Secretary of Commerce and Labor, by agreement with transportation lines, as provided in section thirty-two of this Act, may arrange in some other manner for the payment of the tax imposed by this section upon any or all aliens seeking admission from foreign contiguous territory:[d] *Provided further*, That if in any fiscal year the amount of money collected under the provisions of this section shall exceed two million five hundred thousand dollars, the excess above

Head tax, fines, and rentals, to constitute—

Immigrant fund: For what used.

Head tax: To be lien upon vessel; How payment enforced; Classes exempted from payment of;

Payment on account aliens from contiguous territory;

No more than $2,500,000 to go into Immigrant fund;

[a] For specific exceptions, see Rule 2.

[b] For method of depositing fines and rentals, see Rule 3; for procedure in collecting fines and reporting suits for collection, see Rules 28, 29, and 30.

[c] See paragraph (*g*), Rule 2.

[d] See Rules 2, 25, and 27.

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that amount shall not be added to the "immigrant fund:" *Provided further*, That the provisions of this section shall not apply to aliens arriving in Guam, Porto Rico, or Hawaii; but if any such alien, not having become a citizen of the United States, shall later arrive at any port or place of the United States on the North American Continent the provisions of this section shall apply:[a] *Provided further*, That whenever the President shall be satisfied that passports issued by any foreign government to its citizens to go to any country other than the United States or to any insular possession of the United States or to the Canal Zone are being used for the purpose of enabling the holders to come to the continental territory of the United States to the detriment of labor conditions therein, the President may refuse to permit such citizens of the country issuing such passports to enter the continental territory of the United States from such other country or from such insular possessions or from the Canal Zone.[b]

Head tax:

Exceptions—Guam, Porto Rico, and Hawaii.

Passports:

If limited and used to detriment labor conditions, holders to be rejected.

SEC. 2. That the following classes of aliens shall be excluded from admission into the United States: All idiots, imbeciles, feeble-minded persons, epileptics, insane persons, and persons who have been insane within five years previous; persons who have had two or more attacks of insanity at any time previously; paupers; persons likely to become a public charge;[c] professional beggars; persons afflicted with tuberculosis or with a loathsome or dangerous contagious disease;[d] persons not comprehended within any of the foregoing excluded classes who are found to be and are certified by the examining surgeon as being mentally or physically defective, such mental or physical defect being of a nature which may affect the ability of such alien to earn a living;[c] persons who have been convicted of or admit having committed a felony or other crime or misdemeanor involving moral turpitude; polygamists, or persons who admit their belief in the practice of polygamy, anarchists, or persons who believe in or advocate the overthrow by force or violence of the Government of the United States, or of all government, or of all forms of law, or the assassination of public officials; prostitutes, or women or girls coming into the United States for the purpose of prostitution or for any other immoral purpose; persons who procure or attempt to bring in pros-

Excluded classes:

Idiots, insane, etc.;

Paupers, persons likely to become a public charge;

Diseased;

Mentally or physically defective;

Criminals;

Polygamists;

Anarchists;

Prostitutes, etc.;

[a] See Rule 2.

[b] For President's proclamation and regulations drawn thereunder, see Rule 21.

[c] For provisions for landing under bond persons likely to become public charges and persons certified for physical defects, see Rule 20.

[d] For provision for placing in hospital, "with the express permission of the Secretary," persons afflicted with tuberculosis or with a loathsome or dangerous contagious disease, see Rule 10.

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Excluded classes: titutes or women or girls for the purpose of prostitution or for any other immoral purpose; persons hereinafter

Contract laborers; called contract laborers, who have been induced or solicited to migrate to this country by offers or promises of employment or in consequence of agreements, oral, written or printed, express or implied, to perform labor in this country of any kind, skilled or unskilled; those who have been, within one year from the date of application for admission to the United States, deported as having been induced or solicited to migrate as above described;

Assisted aliens; any person whose ticket or passage is paid for with the money of another, or who is assisted by others to come, unless it is affirmatively and satisfactorily shown that such person does not belong to one of the foregoing excluded classes, and that said ticket or passage was not paid for by any corporation, association, society, municipality, or foreign government, either directly or indirectly;

Children under 16; all children under sixteen years of age, unaccompanied by one or both of their parents, at the discretion of the Secretary of Commerce and Labor or under such regulations as he may from time to time prescribe:[a] *Provided*,

Exceptions— That nothing in this Act shall exclude, if otherwise admissible,

Offenses political; persons convicted of an offense purely political, not involving moral turpitude: *Provided further*,

Transits; That the provisions of this section relating to the payments for tickets or passage by any corporation, association, society, municipality, or foreign government shall not apply to the tickets or passage of aliens in immediate and continuous transit through the United States to foreign contiguous territory: *And provided further*,

Skilled labor; That skilled labor may be imported if labor of like kind unemployed can not be found in this country: *And provided*

Actors, artists, etc. *further*, That the provisions of this law applicable to contract labor shall not be held to exclude professional actors, artists, lecturers, singers, ministers of any religious denomination, professors for colleges or seminaries, persons belonging to any recognized learned profession, or persons employed strictly as personal or domestic servants.

Prostitutes: SEC. 3. That the importation into the United States of

Importation or holding penalized; any alien woman or girl for the purpose of prostitution, or for any other immoral purpose, is hereby forbidden; and whoever shall, directly or indirectly, import, or attempt to import, into the United States, any alien woman or girl for the purpose of prostitution, or for any other immoral purpose, or whoever shall hold or attempt to hold any alien woman or girl for any such purpose in pursuance of such illegal importation, or whoever shall keep, maintain, control, support, or harbor in any house or other place, for the purpose of prostitution, or for any other immoral purpose, any alien woman or girl, within three years after she shall have entered the United States,

[a] For regulations, see Rule 5.

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Prostitutes:

shall, in every such case, be deemed guilty of a felony, and on conviction thereof be imprisoned not more than five years and pay a fine of not more than five thousand dollars; and any alien woman or girl who shall be found an inmate of a house of prostitution or practicing prostitution, at any time within three years after she shall have entered the United States, shall be deemed to be unlawfully within the United States and shall be deported as provided by sections twenty and twenty-one of this Act.[a]

Deportation of, within three years.

Contract laborers:

Importation of, forbidden;

SEC. 4. That it shall be a misdemeanor for any person, company, partnership, or corporation, in any manner whatsoever, to prepay the transportation or in any way to assist or encourage the importation or migration of any contract laborer or contract laborers into the United States, unless such contract laborer or contract laborers are exempted under the terms of the last two provisos contained in section two of this Act.

Penalty for importing;

SEC. 5. That for every violation of any of the provisions of section four of this Act the person, partnership, company, or corporation violating the same, by knowingly assisting, encouraging, or soliciting the migration or importation of any contract laborer into the United States shall forfeit and pay for every such offense the sum of one thousand dollars, which may be sued for and recovered by the United States, or by any person who shall first bring his action therefor in his own name and for his own benefit, including any such alien thus promised labor or service of any kind as aforesaid, as debts of like amount are now recovered in the courts of the United States; and separate suits may be brought for each alien thus promised labor or service of any kind as aforesaid.[b] And it shall be the duty of the district attorney of the proper district to prosecute every such suit when brought by the United States.

U. S. attorneys to prosecute suits;

Advertising for, forbidden;

SEC. 6. That it shall be unlawful and be deemed a violation of section four of this Act to assist or encourage the importation or migration of any alien by promise of employment through advertisements printed and published in any foreign country; and any alien coming to this country in consequence of such an advertisement shall be treated as coming under promise or agreement as contemplated in section two of this Act, and the penalties imposed by section five of this Act shall be applicable to such a case: *Provided*, That this section shall not apply to States or Territories, the District of Columbia, or places subject to the jurisdiction of the United States advertising the inducements they offer for immigration thereto, respectively.

Exception, in favor States and Territories.

Soliciting:

Forbidden on part transportation companies;

SEC. 7. That no transportation company or owner or owners of vessels, or others engaged in transporting aliens into the United States, shall, directly or indirectly, either by writing, printing, or oral representation, solicit, invite,

[a] See paragraph (c), Rule 31, and Rules 34–38.
[b] For method of reporting, see Rule 30.

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Soliciting: or encourage the immigration of any aliens into the United States, but this shall not be held to prevent transportation companies from issuing letters, circulars, or advertisements, stating the sailings of their vessels and terms and facilities of transportation therein; and for a violation of this provision, any such transportation company, and any such owner or owners of vessels, and all others engaged in transporting aliens into the United Penalty for. States, and the agents by them employed, shall be severally subjected to the penalties imposed by section five of this Act.

Unlawful landing: SEC. 8. That any person, including the master, agent, owner, or consignee of any vessel, who shall bring into Penalty for. or land in the United States, by vessel or otherwise, or who shall attempt, by himself or through another, to bring into or land in the United States, by vessel or otherwise, any alien not duly admitted by an immigrant inspector or not lawfully entitled to enter the United States shall be deemed guilty of a misdemeanor, and shall, on conviction, be punished by a fine not exceeding one thousand dollars, or by imprisonment for a term not exceeding two years, or by both such fine and imprisonment for each and every alien so landed or brought in or attempted to be landed or brought in.[a]

Fine $100: SEC. 9. That it shall be unlawful for any person, in-
For bringing diseased aliens; cluding any transportation company other than railway lines entering the United States from foreign contiguous territory, or the owner, master, agent, or consignee of any vessel to bring to the United States any alien subject to any of the following disabilities: Idiots, imbeciles, epileptics, or persons afflicted with tuberculosis or with a loathsome or dangerous contagious disease, and if it shall appear to the satisfaction of the Secretary of Commerce and Labor that any alien so brought to the United States was afflicted with any of the said diseases or disabilities at the time of foreign embarkation and that the existence of such disease or disability might have been detected by means of a competent medical examination at such time,
Method of collecting. of such person or transportation company, or the master, agent, owner, or consignee of any such vessel shall pay to the collector of customs of the customs district in which the port of arrival is located the sum of one hundred dollars for each and every violation of the provisions of this section; and no vessel shall be granted clearance papers pending the determination of the question of the liability to the payment of such fine, and in the event such fine is imposed, while it remains unpaid, nor shall such fine be remitted or refunded: *Provided*, That clearance may be granted prior to the determination of such questions upon the deposit of a sum sufficient to cover such fine and costs, such sum to be named by the Secretary of Commerce and Labor.[b]

[a] For method of reporting, see Rule 30.
[b] For method of imposing, see Rule 28.

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Appeals:
Not allowed aliens afflicted with tuberculosis or dangerous contagious diseases.

SEC. 10. That the decision of the board of special inquiry, hereinafter provided for, based upon the certificate of the examining medical officer, shall be final as to the rejection of aliens affected with tuberculosis or with a loathsome or dangerous contagious disease, or with any mental or physical disability which would bring such aliens within any of the classes excluded from admission to the United States under section two of this Act.[a]

Guardian en voyage:
Transportation companies to bear expense of.

SEC. 11. That upon the certificate of a medical officer of the United States Public Health and Marine Hospital Service to the effect that a rejected alien is helpless from sickness, mental or physical disability, or infancy, if such alien is accompanied by another alien whose protection or guardianship is required by such rejected alien, such accompanying alien may also be excluded, and the master, agent, owner, or consignee of the vessel in which such alien and accompanying alien are brought shall be required to return said alien and accompanying alien in the same manner as vessels are required to return other rejected aliens.[b]

Manifests:
Incoming passengers—

SEC. 12. That upon the arrival of any alien by water at any port within the United States,[c] it shall be the duty of the master or commanding officer of the steamer, sailing or other vessel having said alien on board to deliver to the immigration officers at the port of arrival lists or manifests made at the time and place of embarkation of such alien on board such steamer or vessel, which shall, in answer to questions at the top of said list, state as to each alien the full name, age, and sex; whether married or single; the calling or occupation; whether able to read or write; the nationality; the race; the last residence; the name and address of the nearest relative in the country from which the alien came; the seaport for landing in the United States; the final destination, if any, beyond the port of landing; whether having a ticket through to such final destination; whether the alien has paid his own passage or whether it has been paid by any other person or by any corporation, society, municipality, or government, and if so, by whom; whether in possession of fifty dollars, and if less, how much; whether going to join a relative or friend, and if so, what relative or friend, and his or her name and complete address; whether ever before in the United States, and if so, when and where; whether ever in prison or almshouse or an institution or hospital for the care and treatment of the insane or supported by charity; whether a polygamist; whether an anarchist; whether coming by reason of any offer, solicitation, promise, or agreement, express or implied, to perform labor in the United States,

What to contain:

[a] See Rules 6 and 20; also latter part of section 25.
[b] See Rule 12.
[c] For the procurement of manifests from Canadian transportation companies, see paragraph (e), Rule 25.

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Manifests: and what is the alien's condition of health, mental and physical, and whether deformed or crippled, and if so, Outgoing passengers— for how long and from what cause; that it shall further be the duty of the master or commanding officer of every vessel taking alien passengers out of the United States, from any port thereof, to file before departure therefrom with the collector of customs of such port a complete list of all such alien passengers taken on board. What to contain; Such list shall contain the name, age, sex, nationality, residence in the United States, occupation, and the time of last arrival of every such alien in the United States, and no master of any such vessel shall be granted clearance papers for his vessel until he has deposited such list or lists with the collector of customs at the port of departure and made oath that they are full and complete as to the name and other information herein required concerning each alien taken on board his vessel;[a] and any neglect or omission to comply with the requirements of this section shall be punishable as provided in section fifteen of this Act.[b] That the collector of customs with whom any such list has been deposited in accordance with the provisions of this section, shall promptly notify the Commissioner-General of Immigration that such list has been deposited with him as provided, and shall make such further disposition thereof as may be required by regulations to be issued by the Commissioner-General of Immigration with the approval of the Secretary of Commerce and Labor:[c] *Provided*, That in the case of vessels making regular trips to ports of the United States the Commissioner-General of Immigration, with the approval of the Secretary of Commerce and Labor, may, when expedient, arrange for the delivery of such lists of outgoing aliens at a later date:[c] *Provided further*, That it shall be the duty of the master or commanding officer of any vessel sailing from ports in the Philippine Islands, Guam, Porto Rico, or Hawaii to any port of the United States on the North American Continent to deliver to the immigration officers at the port of arrival lists or manifests made at the time and place of embarkation, giving the names of all aliens on board said vessel.[d]

Penalty;

With whom deposited;

Of aliens from the Philippines, Guam, Porto Rico, and Hawaii;

How made up; SEC. 13. That all aliens arriving by water at the ports of the United States shall be listed in convenient groups, and no one list or manifest shall contain more than thirty names. To each alien or head of a family shall be given a ticket on which shall be written his name, a number or letter designating the list in which his name, and so forth, is contained, and his number on said list, for convenience

[a] For the procurement of manifests from Canadian transportation companies, see paragraph (*e*), Rule 25.
[b] For method of imposing fine, see Rule 29.
[c] See Rule XXIX, statistical regulations.
[d] See paragraphs (*b*) and (*c*), Rule I, statistical regulations.

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of identification on arrival. Each list or manifest shall be verified by the signature and the oath of affirmation of the master or commanding officer, or the first or second below him in command, taken before an immigration officer at the port of arrival, to the effect that he has caused the surgeon of said vessel sailing therewith to make a physical and oral examination of each of said aliens, and that from the report of said surgeon and from his own investigation he believes that no one of said aliens is an idiot, or imbecile, or a feeble-minded person, or insane person, or a pauper, or is likely to become a public charge, or is afflicted with tuberculosis or with a loathsome or dangerous contagious disease, or is a person who has been convicted of, or who admits having committed a felony or other crime or misdemeanor involving moral turpitude, or is a polygamist or one admitting belief in the practice of polygamy, or an anarchist, or under promise or agreement, express or implied, to perform labor in the United States, or a prostitute, or a woman or girl coming to the United States for the purpose of prostitution, or for any other immoral purpose, and that also, according to the best of his knowledge and belief, the information in said lists or manifests concerning each of said aliens named therein is correct and true in every respect.

Manifests: To be signed and sworn to by master, as to correctness of contents;

SEC. 14. That the surgeon of said vessel sailing therewith shall also sign each of said lists or manifests and make oath or affirmation in like manner before an immigration officer at the port of arrival, stating his professional experience and qualifications as a physician and surgeon, and that he has made a personal examination of each of the said aliens named therein, and that the said list or manifest, according to the best of his knowledge and belief, is full, correct, and true in all particulars relative to the mental and physical condition of said aliens. If no surgeon sails with any vessel bringing aliens the mental and physical examinations and the verifications of the lists or manifests shall be made by some competent surgeon employed by the owners of the said vessel.[a]

To be signed and sworn to by surgeon;

SEC. 15. That in the case of the failure of the master or commanding officer of any vessel to deliver to the said immigration officers lists or manifests of all aliens on board thereof, as required in sections twelve, thirteen, and fourteen of this Act, he shall pay to the collector of customs at the port of arrival the sum of ten dollars for each alien concerning whom the above information is not contained in any list as aforesaid: *Provided*, That in the case of failure without good cause to deliver the list of passengers required by section twelve of this Act from the master or commanding officer of every vessel taking alien passengers out of the United States, the penalty shall be paid to the collector of customs at the port of departure

Incoming passengers—

Penalty of $10;

Outgoing passengers—

Penalty of $10;

[a] See paragraph (*g*), Rule 29.

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Manifests: Aggregate fines not to exceed $100.

and shall be a fine of ten dollars for each alien not included in said list; but in no case shall the aggregate fine exceed one hundred dollars.[a]

Inspection:

SEC. 16. That upon the receipt by the immigration officers at any port of arrival of the lists or manifests of incoming aliens provided for in sections twelve, thirteen, and fourteen of this Act, it shall be the duty of said officers to go or to send competent assistants to the vessel to which said lists or manifests refer, and there inspect all such aliens, or said immigration officers may order a temporary removal of such aliens for examination at a designated time and place, but such temporary removal shall not be considered a landing, nor shall it relieve the transportation lines, masters, agents, owners, or consignees of the vessel upon which said aliens are brought to any port of the United States from any of the obligations which, in case such aliens remain on board, would, under the provisions of this Act, bind the said transportation lines, masters, agents, owners, or consignees: *Provided*, That where a suitable building is used for the detention and examination of aliens the immigration officials shall there take charge of such aliens, and the transportation companies, masters, agents, owners, and consignees of the vessels bringing such aliens shall be relieved of the responsibility for their detention thereafter until the return of such aliens to their care.

On board vessel; Landing for, not actual landing; If placed in station, immigration officers responsible.

Medical examination:

SEC. 17. That the physical and mental examination of all arriving aliens shall be made by medical officers of the United States Public Health and Marine-Hospital Service, who shall have had at least two years' experience in the practice of their profession since receiving the degree of doctor of medicine and who shall certify for the information of the immigration officers and the boards of special inquiry hereinafter provided for, any and all physical and mental defects or diseases observed by said medical officers in any such alien,[b] or, should medical officers of the United States Public Health and Marine-Hospital Service be not available, civil surgeons of not less than four years' professional experience may be employed in such emergency for such service, upon such terms as may be prescribed by the Commissioner-General of Immigration under the direction or with the approval of the Secretary of Commerce and Labor. The United States Public Health and Marine-Hospital Service shall be reimbursed by the immigration service for all expenditures incurred in carrying out the medical inspection of aliens under regulations of the Secretary of Commerce and Labor.

To be made by P. H. and M. H. surgeons; P. H. and M. H. Service to be reimbursed for surgeons' salaries.

Unlawful landing:

SEC. 18. That it shall be the duty of the owners, officers, or agents of any vessel or transportation line, other than

[a] For procedure, see Rule 29.
[b] See Rule 9.

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Unlawful landing:

Exception under sec. 32;

Penalty for;

those railway lines which may enter into a contract as provided in section thirty-two of this Act, bringing an alien to the United States to prevent the landing of such alien in the United States at any time or place other than as designated by the immigration officers, and the negligent failure of any such owner, officer, or agent to comply with the foregoing requirements shall be deemed a misdemeanor and be punished by a fine in each case of not less than one hundred nor more than one thousand dollars or by imprisonment for a term not exceeding one year, or by both such fine and imprisonment;[a] and every such alien so landed shall be deemed to be unlawfully in the United States and shall be deported as provided in sections twenty and twenty-one of this Act.[b]

Deportation of aliens so landed.

Deportation:

By vessel bringing;

Cost of, and of detention, to be borne by steamship companies;

Penalty for failure to hold, deport, or maintain;

Penalty for taking security.

Witnesses:

Authority to hold;

Cost paid from immigrant fund.

Hospital treatment — by express permission of Secretary:

Of those suffering with tuberculosis or loathsome disease.

Dangerous contagious disease.

SEC. 19. That all aliens brought to this country in violation of law shall, if practicable, be immediately sent back to the country whence they respectively came on the vessels bringing them. The cost of their maintenance while on land, as well as the expense of the return of such aliens, shall be borne by the owner or owners of the vessels on which they respectively came; and if any master, person in charge, agent, owner, or consignee of any such vessel shall refuse to receive back on board thereof, or on board of any other vessel owned or operated by the same interests, such aliens, or shall fail to detain them thereon, or shall refuse or fail to return them to the foreign port from which they came, or to pay the cost of their maintenance while on land, or shall make any charge for the return of any such alien, or shall take any security from him for the payment of such charge, such master, person in charge, agent, owner, or consignee shall be deemed guilty of a misdemeanor and shall, on conviction, be punished by a fine of not less than three hundred dollars for each and every such offense; and no vessel shall have clearance from any port of the United States while any such fine is unpaid:[a] *Provided*, That the Commissioner-General of Immigration, with the approval of the Secretary of Commerce and Labor, may suspend, upon conditions to be prescribed by the Commissioner-General of Immigration, the deportation of any alien found to have come in violation of any provision of this Act, if, in his judgment, the testimony of such alien is necessary on behalf of the United States Government in the prosecution of offenders against any provision of this Act: *Provided*, That the cost of maintenance of any person so detained resulting from such suspension of deportation shall be paid from the "immigrant fund"[c] but no alien certified, as provided in section seventeen of this Act, to be suffering from tuberculosis or from a loathsome or dangerous contagious disease other than one of quaran-

[a] For method of reporting, see Rule 30.
[b] See paragraph (*d*), Rule 31, and Rules 34–38.
[c] See Rule 14.

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tinable nature shall be permitted to land for medical treatment thereof in any hospital in the United States, unless with the express permission of the Secretary of Commerce and Labor:[a] *Provided*, That upon the certificate of a medical officer of the United States Public Health and Marine-Hospital Service to the effect that the health or safety of an insane alien would be unduly imperiled by immediate deportation, such alien may, at the expense of the "immigrant fund," be held for treatment until such time as such alien may, in the opinion of such medical officer, be safely deported.[a]

Insane aliens: Holding for treatment, expense immigrant fund.

Deportation: Unlawful residents and public charges; How expense of, to be borne.

SEC. 20. That any alien who shall enter the United States in violation of law, and such as become public charges from causes existing prior to landing, shall, upon the warrant of the Secretary of Commerce and Labor, be taken into custody and deported to the country whence he came at any time within three years after the date of his entry into the United States. Such deportation, including one-half of the entire cost of removal to the port of deportation, shall be at the expense of the contractor, procurer, or other person by whom the alien was unlawfully induced to enter the United States, or, if that can not be done, then the cost of removal to the port of deportation shall be at the expense of the "immigrant fund" provided for in section one of this Act, and the deportation from such port shall be at the expense of the owner or owners of such vessel or transportation line by which such aliens respectively came:[b] *Provided*, That pending the final disposal of the case of any alien so taken into custody he may be released under a bond in the penalty of not less than five hundred dollars with security approved by the Secretary of Commerce and Labor, conditioned that such alien shall be produced when required for a hearing or hearings in regard to the charge upon which he has been taken into custody, and for deportation if he shall be found to be unlawfully within the United States.[c]

Bond: Releasing arrested aliens on.

Deportation: Of aliens subject thereto; Penalty against vessels for refusal to deport on warrant;

SEC. 21. That in case the Secretary of Commerce and Labor shall be satisfied that an alien has been found in the United States in violation of this Act, or that an alien is subject to deportation under the provisions of this Act or of any law of the United States, he shall cause such alien within the period of three years after landing or entry therein to be taken into custody and returned to the country whence he came, as provided by section twenty of this Act,[b] and a failure or refusal on the part of the masters, agents, owners, or consignees of vessels to comply with the order of the Secretary of Commerce and Labor to take on board, guard safely, and return to the country whence he came any alien ordered to be deported

[a] See Rule 10.
[b] See Rules 31–37.
[c] See paragraph (*g*), Rule 35.

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Deportation:

under the provisions of this Act shall be punished by the imposition of the penalties prescribed in section nineteen of this Act:[a] *Provided*, That when in the opinion of the Secretary of Commerce and Labor the mental or physical condition of such alien is such as to require personal care and attendance, he may employ a suitable person for that purpose, who shall accompany such alien to his or her final destination, and the expense incident to such service shall be defrayed in like manner.[b]

Attendants for deported persons.

Commissioner-General:

Duties of;

SEC. 22. That the Commissioner-General of Immigration, in addition to such other duties as may by law be assigned to him, shall, under the direction of the Secretary of Commerce and Labor, have charge of the administration of all laws relating to the immigration of aliens into the United States, and shall have the control, direction, and supervision of all officers, clerks, and employees appointed thereunder. He shall establish such rules and regulations, prescribe such forms of bond, reports, entries, and other papers, and shall issue from time to time such instructions, not inconsistent with law, as he shall deem best calculated for carrying out the provisions of this Act and for protecting the United States and aliens migrating thereto from fraud and loss, and shall have authority to enter into contract for the support and relief of such aliens as may fall into distress or need public aid; all under the direction or with the approval of the Secretary of Commerce and Labor. And it shall be the duty of the Commissioner-General of Immigration to detail officers of the immigration service from time to time as may be necessary, in his judgment, to secure information as to the number of aliens detained in the penal, reformatory, and charitable institutions (public and private) of the several States and Territories, the District of Columbia, and other territory of the United States and to inform the officers of such institutions of the provisions of law in relation to the deportation of aliens who have become public charges: *Provided*, That the Commissioner-General of Immigration may, with the approval of the Secretary of Commerce and Labor, whenever in his judgment such action may be necessary to accomplish the purposes of this Act, detail immigration officers, and also surgeons, in accordance with the provisions of section seventeen, for service in foreign countries.

To make contracts for relief of aliens;

To detail officers to investigate public charges;

To detail officers abroad.

Commissioners:

Duties of.

SEC. 23. That the duties of the commissioners of immigration shall be of an administrative character, to be prescribed in detail by regulations prepared, under the direction or with the approval of the Secretary of Commerce and Labor.

Employees:

Appointing and promoting.

SEC. 24. That immigrant inspectors and other immigration officers, clerks, and employees shall hereafter be appointed and their compensation fixed and raised or de-

[a] For method of reporting, see Rule 30.
[b] For procedure for providing attendant, see Rule 37.

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creased from time to time by the Secretary of Commerce and Labor, upon the recommendation of the Commissioner-General of Immigration and in accordance with the provisions of the civil-service Act of January sixteenth, eighteen hundred and eighty-three: *Provided*,

Contract labor laws:
Special provision for enforcement of.

That said Secretary, in the enforcement of that portion of this Act which excludes contract laborers, may employ, without reference to the provisions of the said civil service Act, or to the various Acts relative to the compilation of the official register, such persons as he may deem advisable and from time to time fix, raise, or decrease their compensation. He may draw from the "immigrant fund" annually fifty thousand dollars or as much thereof as may be necessary, to be expended for the salaries and expenses of persons so employed and for expenses incident to such employment; and the accounting officers of the Treasury shall pass to the credit of the proper disbursing officer expenditures from said sum without itemized account whenever the Secretary of Commerce and Labor certifies that an itemized account would not be for the best interests of the Government: *Provided further*,

Commissioners:
Appointing.

That nothing herein contained shall be construed to alter the mode of appointing commissioners of immigration at the several ports of the United States as provided by the sundry civil appropriation Act approved August eighteenth, eighteen hundred and ninety-four, or the official status of such commissioners heretofore appointed.

Immigration officers:
Power and authority of;

Immigration officers shall have power to administer oaths and to take and consider evidence touching the right of any alien to enter the United States, and, where such action may be necessary, to make a written record of such evidence; and any person to whom such an oath has been administered under the provisions of this Act who shall knowingly or wilfully give false evidence or swear to any false statement in any way affecting or in relation to the right of any alien to admission to the United States shall be deemed guilty of perjury and be punished as provided by section fifty-three hundred and ninety-two, United States Revised Statutes. The decision of any such officer, if favorable to the admission of any alien, shall be subject to challenge by any other immigration officer, and such challenge shall operate to take the alien whose right to land is so challenged before a board of special inquiry for its investigation. Every alien who may not appear to the examining immigrant inspector at the port of arrival to be clearly and beyond a doubt entitled to land shall be detained for examination in relation thereto by a board of special inquiry.

False swearing before, perjury;
Challenging decision of.
Boards of special inquiry:
Detaining aliens for;
Appointing;

SEC. 25. That such boards of special inquiry shall be appointed by the commissioner of immigration at the various ports of arrival as may be necessary for the prompt determination of all cases of immigrants detained at such ports under the provisions of law.[a] Each

[a] See Rule 17 for form of oath of board member.

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board shall consist of three members, who shall be selected from such of the immigrant officials in the service as the Commissioner-General of Immigration, with the approval of the Secretary of Commerce and Labor, shall from time to time designate as qualified to serve on such boards: *Provided*, That at ports where there are fewer than three immigrant inspectors, the Secretary of Commerce and Labor, upon the recommendation of the Commissioner-General of Immigration, may designate other United States officials for service on such boards of special inquiry. Such boards shall have authority to determine whether an alien who has been duly held shall be allowed to land or shall be deported. All hearings before boards shall be separate and apart from the public, but the said boards shall keep a complete permanent record of their proceedings and of all such testimony as may be produced before them; and the decision of any two members of a board shall prevail, but either the alien or any dissenting member of the said board may appeal through the commissioner of immigration at the port of arrival and the Commissioner-General of Immigration to the Secretary of Commerce and Labor, and the taking of such appeal shall operate to stay any action in regard to the final disposal of any alien whose case is so appealed until the receipt by the commissioner of immigration at the port of arrival of such decision which shall be rendered solely upon the evidence adduced before the board of special inquiry: *Provided*, That in every case where an alien is excluded from admission into the United States, under any law or treaty now existing or hereafter made, the decision of the appropriate immigration officers, if adverse to the admission of such alien, shall be final, unless reversed on appeal to the Secretary of Commerce and Labor; but nothing in this section shall be construed to admit of any appeal in the case of an alien rejected as provided for in section ten of this Act.[a]

Boards of special inquiry:

Other officials for;

Authority of;

Hearings before, private.

Appeals:

Manner of taking;

Decision on, based solely upon original evidence;

Unless taken, decision of officers final;

Not allowed in cases rejected under section 10.

SEC. 26. That any alien liable to be excluded because likely to become a public charge or because of physical disability other than tuberculosis or a loathsome or dangerous contagious disease may, if otherwise admissible, nevertheless be admitted in the discretion of the Secretary of Commerce and Labor upon the giving of a suitable and proper bond or undertaking, approved by said Secretary in such amount and containing such conditions as he may prescribe, to the people of the United States, holding the United States or any State, Territory, county, municipality, or district thereof harmless against such alien becoming a public charge. The admission of such alien shall be a consideration for the giving of such bond or undertaking. Suit may be brought thereon in the name and by the proper law officers either of the United States Government or of any State, Territory, district,

Bonds:

Landing under;

In what cases permissible;

Bringing suits upon.

[a] See Rules 5–8.

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county, or municipality in which such alien becomes a public charge.[a]

Suits: Compromising, etc.;

SEC. 27. That no suit or proceeding for a violation of the provisions of this Act shall be settled, compromised, or discontinued without the consent of the court in which it is pending, entered of record, with the reasons therefor.

Under former acts not affected hereby.

SEC. 28. That nothing contained in this Act shall be construed to affect any prosecution, suit, action, or proceedings brought, or any act, thing, or matter, civil or criminal, done or existing at the time of the taking effect of this Act; but as to all such prosecutions, suits, actions, proceedings, acts, things, or matters the laws or parts of laws repealed or amended by this Act are hereby continued in force and effect.

Courts, circuit and district: Jurisdiction.

SEC. 29. That the circuit and district courts of the United States are hereby invested with full and concurrent jurisdiction of all causes, civil and criminal, arising under any of the provisions of this Act.

Exclusive privileges: How granted;

SEC. 30. That all exclusive privileges of exchanging money, transporting passengers or baggage, or keeping eating houses, and all other like privileges in connection with any United States immigrant station, shall be disposed of after public competition, subject to such conditions and limitations as the Commissioner-General of Immigration, under the direction or with the approval of the Secretary of Commerce and Labor, may prescribe: *Provided*, That no intoxicating liquors shall be sold in any such immigrant station; that all receipts accruing from the disposal of such exclusive privileges as herein provided shall be paid into the Treasury of the United States to the credit of the "immigrant fund" provided for in section one of this Act.

Proceeds from, to be paid into immigrant fund.

Peace officers: Admission to stations.

SEC. 31. That for the preservation of the peace and in order that arrests may be made for crimes under the laws of the States and Territories of the United States where the various immigrant stations are located, the officers in charge of such stations, as occasion may require, shall admit therein the proper State and municipal officers charged with the enforcement of such laws, and for the purpose of this section the jurisdiction of such officers and of the local courts shall extend over such stations.

Commissioner-General: To make rules and contracts for inspection on land boundaries.

SEC. 32. That the Commissioner-General of Immigration, under the direction or with the approval of the Secretary of Commerce and Labor, shall prescribe rules for the entry and inspection of aliens along the borders of Canada and Mexico, so as not to unnecessarily delay, impede, or annoy passengers in ordinary travel between the United States and said countries, and shall have power to enter into contracts with transportation lines for the said purpose.[b]

[a] See Rule 20 as to circumstances under which accepted.

[b] For arrangement on Canadian border, see Rule 25; on Mexican border, Rule 27.

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"United States:" Meaning of term.

SEC. 33. That for the purpose of this Act the term "United States" as used in the title as well as in the various sections of this Act shall be construed to mean the United States and any waters, territory, or other place subject to the jurisdiction thereof, except the Isthmian Canal Zone: *Provided*, That if any alien shall leave the canal zone and attempt to enter any other place under the jurisdiction of the United States, nothing contained in this Act shall be construed as permitting him to enter under any other conditions than those applicable to all aliens.

Canal Zone: Inspection of aliens from.

Commissioner: Appointment of, at New Orleans.

SEC. 34. That the Commissioner-General of Immigration, with the approval of the Secretary of Commerce and Labor, may appoint a commissioner of immigration to discharge at New Orleans, Louisiana, the duties now required of other commissioners of immigration at their respective posts.

Deportation: To be to transoceanic ports;

SEC. 35. That the deportation of aliens arrested within the United States after entry and found to be illegally therein, provided for in this Act, shall be to the trans-Atlantic or trans-Pacific ports from which said aliens embarked for the United States; or, if such embarkation was for foreign contiguous territory, to the foreign port at which said aliens embarked for such territory.

Of aliens entering unlawfully.

SEC. 36. That all aliens who shall enter the United States except at the seaports thereof, or at such place or places as the Secretary of Commerce and Labor may from time to time designate, shall be adjudged to have entered the country unlawfully and shall be deported as provided by sections twenty and twenty-one of this Act: *Provided*, That nothing contained in this section shall affect the power conferred by section thirty-two of this Act upon the Commissioner-General of Immigration to prescribe rules for the entry and inspection of aliens along the borders of Canada and Mexico.[a]

Ports of entry: To be designated on land borders.

Admission: Of diseased wife or minor children of alien who has declared intention to become citizen.

SEC. 37. That whenever an alien shall have taken up his permanent residence in this country, and shall have filed his declaration of intention to become a citizen, and thereafter shall send for his wife, or minor children to join him, if said wife or any of said children shall be found to be affected with any contagious disorder, such wife or children shall be held, under such regulations as the Secretary of Commerce and Labor shall prescribe, until it shall be determined whether the disorder will be easily curable, or whether they can be permitted to land without danger to other persons; and they shall not be either admitted or deported until such facts have been ascertained; and if it shall be determined that the disorder is easily curable or that they can be permitted to land without danger to other persons, they shall, if otherwise admissible, thereupon be admitted.[b]

[a] See Rule 38; also paragraph (*g*), Rule 21.
[b] See Rule 11.

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Anarchists: Not to be admitted;

SEC. 38. That no person who disbelieves in or who is opposed to all organized government, or who is a member of or affiliated with any organization entertaining and teaching such disbelief in or opposition to all organized government, or who advocates or teaches the duty, necessity, or propriety of the unlawful assaulting or killing of any officer or officers, either of specific individuals or of officers generally, of the Government of the United States or of any other organized government, because of his or their official character, shall be permitted to enter the United States or any territory or place subject to the jurisdiction thereof. This section shall be enforced by the Secretary of Commerce and Labor under such rules and regulations as he shall prescribe. That any person who knowingly aids or assists any such person to enter the United States or any territory or place subject to the jurisdiction thereof, or who connives or conspires with any person or persons to allow, procure, or permit any such person to enter therein, except pursuant to such rules and regulations made by the Secretary of Commerce and Labor shall be fined not more than five thousand dollars, or imprisoned for not more than five years, or both.[a]

Penalty for assisting to enter.

Immigration Commission: How appointed;

SEC. 39. That a commission is hereby created, consisting of three Senators, to be appointed by the President of the Senate, and three members of the House of Representatives, to be appointed by the Speaker of the House of Representatives, and three persons, to be appointed by the President of the United States. Said commission shall make full inquiry, examination, and investigation by sub-committee or otherwise into the subject of immigration. For the purpose of said inquiry, examination, and investigation, said commission is authorized to send for persons and papers, make all necessary travel, either in the United States or any foreign country, and, through the chairman of the commission or any member thereof to administer oaths and to examine witnesses and papers respecting all matters pertaining to the subject, and to employ necessary clerical and other assistance. Said commission shall report to the Congress the conclusions reached by it and make such recommendations as in its judgment may seem proper. Such sums of money as may be necessary for the said inquiry, examination, and investigation are hereby appropriated and authorized to be paid out of the "immigrant fund" on the certificate of the chairman of said commission, including all expenses of the commissioners and a reasonable compensation, to be fixed by the President of the United States, for those members of the commission who are not members of Congress; and the President of the United States is also authorized, in the name of the Government of the United States, to call, in his discretion, an international conference, to assemble at such point as may be agreed upon, or

Authority and duties;

Expenses of, how paid.

International Conference:

President authorized to arrange for;

[a] For method of reporting, see Rule 30.

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International Conference:
Purpose of.

to send special commissioners to any foreign country, for the purpose of regulating by international agreement, subject to the advice and consent of the Senate of the United States, the immigration of aliens to the United States; of providing for the mental, moral, and physical examination of such aliens by American consuls or other officers of the United States Government at the ports of embarkation, or elsewhere; of securing the assistance of foreign governments in their own territories to prevent the evasion of the laws of the United States governing immigration to the United States; of entering into such international agreements as may be proper to prevent the immigration of aliens who, under the laws of the United States, are or may be excluded from entering the United States, and of regulating any matters pertaining to such immigration.

Information division:
Establishment of;
Duties and authority of.

SEC. 40. Authority is hereby given the Commissioner-General of Immigration to establish, under the direction and control of the Secretary of Commerce and Labor, a division of information in the Bureau of Immigration and Naturalization; and the Secretary of Commerce and Labor shall provide such clerical assistance as may be necessary. It shall be the duty of said division to promote a beneficial distribution of aliens admitted into the United States among the several States and Territories desiring immigration. Correspondence shall he had with the proper officials of the States and Territories, and said division shall gather from all available sources useful information regarding the resources, products, and physical characteristics of each State and Territory, and shall publish such information in different languages and distribute the publications among all admitted aliens who may ask for such information at the immigrant stations of the United States and to such other persons as may desire the same. When any State or Territory appoints and maintains an agent or agents to represent it at any of the immigrant stations of the United States, such agents shall, under regulations prescribed by the Commissioner-General of Immigration, subject to the approval of the Secretary of Commerce and Labor, have access to aliens who have been admitted to the United States for the purpose of presenting, either orally or in writing, the special inducements offered by such State or Territory to aliens to settle therein. While on duty at any immigrant station such agents shall be subject to all the regulations prescribed by the Commissioner-General of Immigration, who, with the approval of the Secretary of Commerce and Labor, may, for violation of any such regulations, deny to the agent guilty of such violation any of the privileges herein granted.

State agents:
Appointment and stationing at ports;
Courtesies to;
Control of.

Foreign officials:
Exempted from provisions hereof.

SEC. 41. That nothing in this Act shall be construed to apply to accredited officials of foreign governments nor to their suites, families, or guests.[a]

[a] See paragraph (*b*), Rule 2.

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Amendatory of navigation act.

SEC. 42. It shall not be lawful for the master of a steamship or other vessel whereon immigrant passengers, or passengers other than cabin passengers, have been taken at any port or place in a foreign country or dominion (ports and places in foreign territory contiguous to the United States excepted) to bring such vessel and passengers to any port or place in the United States unless the compartments, spaces, and accommodations hereinafter mentioned have been provided, allotted, maintained, and used for and by such passengers during the entire voyage; that is to say, in a steamship, the compartments or spaces, unobstructed by cargo, stores, or goods, shall be of sufficient dimensions to allow for each and every passenger carried or brought therein eighteen clear superficial feet of deck allotted to his or her use, if the compartment or space is located on the main deck or on the first deck next below the main deck of the vessel, and twenty clear superficial feet of deck allotted to his or her use for each passenger carried or brought therein if the compartment or space is located on the second deck below the main deck of the vessel: *Provided*, That if the height between the lower passenger deck and the deck immediately above it is less than seven feet, or if the apertures (exclusive of the side scuttles) through which light and air are admitted together to the lower passenger deck are less in size than in the proportion of three square feet to every one hundred superficial feet of that deck, the ship shall not carry a greater number of passengers on that deck than in the proportion of one passenger to every thirty clear superficial feet thereof. It shall not be lawful to carry or bring passengers on any deck other than the decks above mentioned. And in sailing vessels such passengers shall be carried or brought only on the deck (not being an orlop deck) that is next below the main deck of the vessel, or in a poop or deck house constructed on the main deck; and the compartment or space, unobstructed by cargo, stores, or goods, shall be of sufficient dimensions to allow one hundred and ten cubic feet for each and every passenger brought therein. And such passenger shall not be carried or brought in any between decks, nor in any compartment, space, poop, or deck house, the height of which from deck to deck is less than six feet. In computing the number of such passengers carried or brought in any vessel, children under one year of age shall not be included, and two children between one and eight years of age shall be counted as one passenger; and any person brought in any such vessel who shall have been, during the voyage, taken from any other vessel wrecked or in distress on the high seas, or have been picked up at sea from any boat, raft, or otherwise, shall not be included in such computation. The master of a vessel coming to a port or place in the United States in violation of either of the provisions of this section shall be deemed guilty of a misdemeanor; and if the

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number of passengers other than cabin passengers carried or brought in the vessel, or in any compartment, space, poop, or deck house thereof, is greater than the number allowed to be carried or brought therein, respectively, as hereinbefore prescribed, the said master shall be fined fifty dollars for each and every passenger in excess of the proper number, and may also be imprisoned not exceeding six months. Amendatory of navigation act.

This section shall take effect on January first, nineteen hundred and nine.

SEC. 43. That the Act of March third, nineteen hundred and three, being an Act to regulate the immigration of aliens into the United States, except section thirty-four thereof, and the Act of March twenty-second, nineteen hundred and four, being an Act to extend the exemption from head tax to citizens of Newfoundland entering the United States, and all Acts and parts of Acts inconsistent with this Act are hereby repealed: *Provided*, That this Act shall not be construed to repeal, alter, or amend existing laws relating to the immigration or exclusion of Chinese persons or persons of Chinese descent, nor to repeal, alter, or amend section six, chapter four hundred and fifty-three, third session Fifty-eighth Congress, approved February sixth, nineteen hundred and five, or, prior to January first, nineteen hundred and nine, section one of the Act approved August second, eighteen hundred and eighty-two, entitled "An Act to regulate the carriage of passengers by sea." Repealing clause: Exceptions.

SEC. 44. That this Act shall take effect and be enforced from and after July first, nineteen hundred and seven: *Provided, however*, That section thirty-nine of this Act and the last proviso of section one shall take effect upon the passage of this Act and section forty-two on January first, nineteen hundred and nine. When effective.

Approved February 20, 1907. (34 Stat., pt. 1, p. 898.)

EXTRACT FROM THE SUNDRY CIVIL APPROPRIATION ACT APPROVED MARCH 4, 1909.[a]

"In all, one million two hundred and sixty-six thousand seven hundred and fifty dollars, *which shall include the amount necessary for the medical inspection of aliens, as required by section seventeen of the Act of Congress approved February twentieth, nineteen hundred and seven, and the provision of said section of said Act requiring the reimbursement by the immigration fund for said expenses is hereby repealed.*"

[a] Under caption "Public Health and Marine Hospital Service" (35 Stat., 969).

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ACT APPROVED MARCH 4, 1909.

AN ACT relative to outward alien manifests on certain vessels.[c]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That until the provisions of section twelve of the immigration Act of February twentieth, nineteen hundred and seven, relating to outward alien manifests, shall be made applicable to passengers going out of the United States to Canada by land carriage, said provisions shall not apply to passengers going by vessels employed exclusively in the trade between the ports of the United States and the Dominion of Canada and the Republic of Mexico.

Approved, March 4, 1909.

[c] 35 Stat., 1060.

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IMMIGRATION REGULATIONS.

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DEPARTMENT OF COMMERCE AND LABOR,
BUREAU OF IMMIGRATION AND NATURALIZATION.

Note: Meaning of terms employed.

NOTE.—Wherever, in the following rules, the expression "Immigration Act" is used, it shall be understood to refer to the act entitled "An act to regulate the immigration of aliens into the United States," approved February 20, 1907; and wherever a numbered section is mentioned it shall be understood to refer to the section of that number in said act, unless explicitly stated to the contrary.

Philippine Islands: Regulations not applicable to.

The following rules do not apply to aliens seeking admission to the Philippine Islands, the administration of the immigration laws and the collection of head tax therein having been vested in the officers of the general government of those islands by section 6 of the act approved February 6, 1905.

RULES RELATING TO HEAD TAX.

Head tax: Collection of;

RULE 1. *Collection of head tax.*—The head tax imposed by section 1 of the Immigration Act is to be levied and collected in respect of all aliens entering the United States, except such as are described in Rule 2 hereof.

Certification of, to collector;

Upon the arrival of any aliens at any seaport of the United States, the immigration officer in charge shall certify to the collector of customs the number of aliens on account of whom the tax is payable and the name of the person required to pay the same. Upon receipt of such certificate, the collector of customs shall forthwith collect a tax of four dollars for each alien so certified.

Deposit of;

The tax collected on account of aliens, who are not permitted to land, but are held for examination by a board

Refundment of;

of special inquiry, and the tax collected on account of aliens permitted to enter for the purpose of passing in transit through the United States, shall be held as a special deposit, to be refunded, in the one case, when an alien detained for examination has been excluded, and in the other, when an alien proceeding in transit through the United States has left the country. The collections so

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Head tax:

made shall no longer be held on special deposit, but shall be accounted for in the regular manner, in the case of aliens detained for examination, so soon as it shall appear that they are admitted, and, in the case of aliens entering for the purpose of transit, if, at the expiration of sixty days from time of entry, it is not shown that they have passed out of the country.

Collection of, on Mexican and Canadian borders;

The head tax payable on account of aliens entering the United States from foreign contiguous territory shall be levied and collected, at Mexican border ports, according to the provisions of Rule 27 hereof, and at Canadian border ports according to the terms of an agreement between the Commissioner-General of Immigration and certain transportation companies, embodied in Rules 24 and 25 hereof.

Exemptions from—

RULE 2. *Exemptions from head tax.*—The head tax shall not be levied in respect of the following aliens:

Excluded aliens—

(*a*) Aliens who do not enter the United States because excluded from admission thereto by the Immigration Act. (Secs. 1 and 2.)

Diplomatic officers—

(*b*) Diplomatic and consular officers and other accredited officials of foreign governments, their suites, families, and guests coming to the United States to reside or to pass through in transit. (Sec. 41.)

Residents Canada, Newfoundland, Cuba, and Mexico—

(*c*) Head tax shall not be collected on account of aliens entering the United States from Canada, Newfoundland, Cuba, or Mexico whose legal domicile or bona fide residence was in one of the countries specified for at least one year immediately preceding such entrance if it merely appears that the continuity of their physical presence at their place of residence or domicile was broken by one or more transient and temporary departures therefrom; nor shall head tax be collected on account of such aliens if it merely appears that, instead of entering the United States from Canada, Newfoundland, Cuba or Mexico directly, they come by way of some other foreign country in which they had made a merely temporary or transient sojourn.

(*d*) Head tax shall not be collected on account of aliens reentering the United States from Canada, Newfoundland, Cuba, or Mexico who are citizens thereof but who have acquired a legal domicile or bona fide residence in the United States, and who are returning from a visit to one of the said countries, notwithstanding that the period of a full year has not intervened between the date of their departure from and the date of their return to the United States.

Residents insular possessions—

(*e*) Aliens, otherwise admissible, who are residents of any possession of the United States, provided at the time of admission to such possession head tax was paid on their account. (Sec. 1.)

Transits—

(*f*) Aliens who enter the United States only for the purpose of transit to foreign destinations. Collections made in respect of such aliens will be held on special de-

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Head tax:

posit and will be refunded pursuant to Rules 1 and 41. (Sec. 1.)

Aliens in continuous journey—

(*g*) Aliens who have been lawfully admitted to the United States and who later shall go in transit from one part of the United States to another through foreign contiguous territory. Satisfactory evidence of such previous lawful admission and of previous payment of head tax shall be required in the case of aliens on whose behalf this exemption is claimed, as in paragraphs (*c*) and (*d*) of this rule. Personal knowledge on the part of an immigration officer, or a written statement from such an officer based on an examination of official records certifying to the fact of previous entry and payment of tax, will be sufficient. As evidence of the continuity of the transit, production of a dated passenger ticket, where such exists, may be required. (Sec. 1.)

At ports of Guam, Porto Rico, and Hawaii.

(*h*) Aliens arriving in Guam, Porto Rico, or Hawaii; but if any such alien, not having become a citizen of the United States, shall later arrive at any port or place of the United States on the North American Continent the provisions for the levy and collection of head tax shall apply. (Sec. 1.)

Immigrant fund:

Accounting for receipts for.

RULE 3. *Accounting for head tax and other receipts.*—All moneys collected on account of head tax, as well as all moneys collected for rentals of exclusive privileges at United States immigrant stations and all moneys collected as fines for violations of the immigration laws (whether imposed by the Department or the courts), shall be deposited to the credit of the Treasurer of the United States on account of the "immigrant fund," with an assistant treasurer of the United States, or national-bank depositary, in the same manner as other miscellaneous collections are deposited. Separate accounts of the receipts and expenditures of money under the act shall be rendered monthly to the Secretary of the Treasury through the Department of Commerce and Labor on forms to be furnished by the Government for the purpose.

RULES RELATING TO ADMISSION OR EXCLUSION.

Immigration Act:

To whom applicable.

RULE 4. *Application of Immigration Act.*—The provisions of the Immigration Act apply to all aliens seeking to enter the United States, except accredited officials of foreign governments, their suites, families, and guests. The act also prescribes the conditions of their admission to or exclusion from the United States, or any waters, territory, or other place subject to the jurisdiction thereof, except the Isthmian Canal Zone. The act becomes effective when such aliens arrive from any foreign country, or other place without the jurisdiction of the United States, or from the Canal Zone. The provisions of the Immigration Act do not apply to aliens who have once been duly admitted to the United States or any waters, territory, or other place subject to the jurisdiction thereof,

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proceeding to or from the continental territory of the United States, except aliens coming from the Canal Zone, and except Japanese or Korean laborers coming from Hawaii, with passports limited to Hawaii, Mexico, or Canada. The admission of aliens coming from the Canal Zone is governed by the regulations applicable to aliens generally; the admission of Japanese or Korean laborers to the continental territory of the United States is governed by the provisions of the Executive order of the President embodied in Rule 21 hereof.

Examination: Who excludable upon;

RULE 5. *Examination of aliens.*—No alien who falls within one of the classes of persons enumerated and defined in section 2 of the Immigration Act or in the Executive order embraced in Rule 21 hereof shall be admitted to the United States, nor (with the exception of the Isthmian Canal Zone) to any waters, territory, or other place subject to the jurisdiction thereof. Every alien seeking to enter the United States, as thus defined, who does not fall within any of the classes so enumerated, shall be admitted.

Children under 16;

Children under sixteen years of age, unaccompanied by one or both of their parents, shall not be permitted to enter the United States, if it appears, or the circumstances indicate, that they are to be placed in forced or "padrone" servitude or in any employment unsuited to their years.

Primary inspection;

Every alien arriving at a port of the United States shall be promptly examined, as by law provided, either on shipboard or at some other place designated for that purpose. Every alien who may appear to the examining immigrant inspector to be clearly and beyond doubt entitled to land shall be at once admitted; every alien who may not appear to be clearly and beyond a doubt entitled to land shall be detained for examination by a board of special inquiry, which examination shall be promptly conducted separate and apart from the public, and, upon the conclusion thereof, the alien shall be either immediately landed or ordered excluded and returned to the country whence he came. If an appeal lies, the alien shall be informed of his right thereto, and the fact that he has been so informed shall be entered of record in the minutes of the board's proceedings. If the alien elects to appeal, he must, to enable officers to comply with the provisions of section 19, file notice of such appeal not less than forty-eight hours prior to the sailing of the first vessel by which his return may be effected, unless such sailing occurs less than forty-eight hours after the order of deportation is made. But in no event shall an appeal be considered after an alien has, in consequence of an adverse decision of a board of special inquiry, been transferred from an immigrant station to be excluded, unless such transfer has been made to prevent congestion, or danger of contagion, as provided by Rule 8 hereof.

Board special inquiry inspection.

Appeals: Notifying alien of right to; Filing notice of;

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Appeals: Notice to steamship company;

If an alien, rejected on account of disability or disease, or because insane or mentally defective, is in such physical or mental condition as to require special care and attention during the ocean voyage and land trip of deportation, the commissioner or inspector in charge shall, when delivering such rejected alien into the custody of the master or first or second officer of the vessel by which deportation is to be effected, furnish such officer with a statement of particulars (Form No. 597) and accompanying receipt and returns, for use in accordance with the provisions of Rule 37 hereof, all applicable requirements of which rule shall be observed. In the cases of aliens rejected by boards of special inquiry, or by the Department on appeal, the commissioner of immigration or inspector in charge shall, as promptly as circumstances permit, notify the steamship line by a vessel of which the alien is to be deported, furnishing full particulars as to the cause of rejection, and, if the alien is diseased, disabled, or insane, a statement of the alien's condition.

When permissible;

RULE 6. *Appeals.*—Except as specified in this rule, an appeal may be taken by the alien himself or by a dissenting member of the board from any decision of a board of special inquiry which determines whether an alien shall be admitted or excluded. No appeal is permissible when the decision of the board rejecting an alien *is based upon* a certificate of the examining medical officer which shows—

When not permissible; because decision is based on medical certificate;

(*a*) That the alien is afflicted with tuberculosis or with a loathsome or dangerous contagious disease;

(*b*) That the alien is an idiot, an imbecile, an epileptic, or is insane or feeble-minded;

(*c*) That the alien has been insane within five years previously, or has had two or more attacks of insanity at any time previously;

(*d*) That the alien has any *mental* defect which in the board's opinion may affect his ability to earn a living or render him likely to become a public charge;

(*e*) That the alien has any *physical* defect which in the board's opinion may affect his ability to earn a living or render him likely to become a public charge; but aliens coming within this class may nevertheless be admitted, in the discretion of the Secretary, as provided in Rule 20 hereof.

Discretion of board of inquiry under section 10;

Boards of special inquiry in reaching decisions "based upon the certificate of the examining medical officer" are to be governed by the following considerations: It is "the decision of the board of special inquiry" which is made unappealable in certain cases by section 10, and not "the certificate of the examining medical officer." In arriving at a decision, therefore, the board is required to exercise its own discretion in determining whether or not it will "base" the same upon the certificate of the examining medical officer. Where the decision of the board is

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Appeals:

expressly "based" upon medical certificates of the character specified by section 10, no appeal is allowed by the act. But whether the board will so "base" its decision will naturally depend upon the circumstances of the case. Thus—

Circumstances determining whether board's decision shall be based on medical certificate, and whether case shall be decided by board subject to appeal or shall be considered an application for bond.

When the medical certificate shows that an alien is affected with tuberculosis or with a loathsome or dangerous contagious disease, or when it shows that an alien is an idiot, an imbecile, or an epileptic, or is insane or feeble-minded, the board of special inquiry, in the absence of competent and convincing evidence to the contrary, is virtually forced to "base" its decision upon that certificate, the reason being that whether or not an alien is so affected is purely a matter of medical science and not such a matter as to which a board of laymen can be expected to reach an intelligent conclusion.

Where the medical certificate states that an alien is affected with any mental defect or physical defect (other than those just named), either of which defects is of a nature that might affect the ability of the alien to earn a living or make him likely to become a public charge, or when the medical certificate states that the alien has been insane within five years previously, or has had two or more attacks of insanity at any time previously, the question to be determined is a practical one quite as much as a medical one, and boards of special inquiry should not only receive and carefully consider the certificate of the medical officer, but should likewise consider all the facts and surrounding circumstances of the case, and from the case as a whole reach their own conclusion as to whether the defect is of a nature which may, considering all the circumstances of the case, affect his ability to earn a living or render him likely to become a public charge, or whether the alien has actually been afflicted in the past.

If the defect for which certified is *physical*, not *mental*, and, on consideration of the whole case, the board's decision is that such physical defect is one which may affect his ability to earn a living or render him likely to become a public charge, and the alien is otherwise admissible, he should be given an opportunity to make application for landing under bond in accordance with Rule 20.

Application for landing under bond and Appeals:

If, on the other hand, the board's conclusion is that the defect is not of such a nature as to affect the ability of the alien to earn a living or render him likely to become a public charge, considering all the facts surrounding his case, and that the alien is otherwise admissible, the board should land the alien unconditionally; or, if the board's conclusion is that the alien should be rejected, not solely because of the certificate but on the basis of all the facts and circumstances, the alien should be rejected and advised of his right to appeal in the usual manner.

Distinction drawn between.

To summarize so much of the foregoing as relates to the distinction between *appeals* and applications for admission under *bond:*

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When a board concludes that an alien is "liable to be excluded because likely to become a public charge or because of physical disability other than tuberculosis or a loathsome or dangerous contagious disease," and such conclusion is not based *solely upon the medical certificate, the board should render a decision, from which decision the alien has the right of appeal.*

But when the board reaches such conclusion upon the basis solely *of the medical certificate, no decision should be rendered, but the alien should be given an opportunity to apply for admission under bond in accordance with Rule 20.*

Appeals: Notice of, to act as stay of deportation;

RULE 7. *Appeals, procedure.*—Notice of appeal shall act as a stay of all proceedings until a final decision is rendered by the Secretary; and, within forty-eight hours after the filing of such notice, the complete record of the case shall be forwarded to the Commissioner-General of Immigration by the immigration officer in charge at the port of arrival, accompanied by his views thereon in writing; but on such appeal of any case to the Secretary no evidence will be considered which has not already been passed upon in said case by a board of special inquiry at the original hearing, or upon a rehearing if so ordered. (See sec. 25.) If, to prevent a miscarriage of justice, additional time is granted to the friends or counsel of an appealing alien, the said immigration officer may require the deposit of a sum of money sufficient to defray the cost of maintaining appellant during the additional time thus allowed.

Evidence considered on;

Granting additional time for;

Making record of;

RULE 8. *Appeals, procedure.*—The commissioner of immigration or the immigration officer in charge at the port of landing shall enter of record the name of every alien found upon examination to be within any of the prohibited classes, with a statement of the decision in each case; and if such decision be appealed from immediately upon the receipt from the Department of its conclusions thereupon the alien shall be landed or deported in accordance with such conclusion. If a landing is refused on appeal, the master, agent, consignee, or owner of the vessel by which the said alien arrived shall be notified by the commissioner or officer in charge, and advised that the alien will be placed aboard the vessel of the line involved next sailing, for deportation. The commissioner or officer in charge at a port of entry where a detention station is located may, immediately upon exclusion, place debarred aliens on board the vessel by which they are to be deported, if in his judgment such action is necessary to prevent congestion or danger of contagion in such station. (See Rule 5.)

Notifying steamship of dismissal of.

Medical examination:

What surgeons to conduct;

RULE 9. *Medical examination.*—Officers of the United States Public Health and Marine-Hospital Service (or, if such officers are not available, civil surgeons of not less than four years' professional experience) are required by section 17 of the Immigration Act to make a physical and

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mental examination of all arriving aliens, and to certify for the information of immigration officers any and all physical and mental defects or diseases observed by them. Every officer of such Service detailed for this duty shall, subject to the instructions of the Surgeon-General of the Public Health and Marine-Hospital Service, be under the direction of the immigration officer in charge of the port to which he may be detailed. Medical examination:

The certificate of the medical officer shall state the physical or mental defect or disease observed, specifying the name by which it is known in common speech as well as the name by which it is known in medicine; and the certificate shall also state: *Certificates covering, contents of—*

(*a*) Where an alien is certified as having been insane within five years previous, or as having had two or more attacks of insanity at any time previously, how the previous existence of the malady has been ascertained (sec. 2); Insane within 5 years;

(*b*) Where an alien is certified as being afflicted with a loathsome or dangerous contagious disease, that the disease named is in fact a loathsome or dangerous contagious disease, and is or is not of a quarantinable nature (secs. 2, 19); Contagious diseases;

(*c*) Where an alien is certified as having a mental or physical defect of a nature which may affect his ability to earn a living, or as being likely to become a public charge by reason of any mental or physical disability, the bearing of such mental or physical shortcoming upon the customary occupation of the alien and upon his general capacity for useful employment, whether such defect is of a temporary or permanent nature, and whether the deficiency of the alien has been corrected by artificial or educational means (secs. 2, 10, 26); Mental and physical defects;

(*d*) Where an alien is certified for permission to land for medical treatment in any hospital of the United States, or where it is certified that the health or safety of an insane alien would be unduly imperiled by immediate deportation, that the alien is not suffering from tuberculosis or from a loathsome or dangerous contagious disease of a nonquarantinable nature, and the probable duration of the alien's detention in hospital, asylum, or elsewhere (sec. 19); When hospital treatment required;

(*e*) Where an alien is certified as being helpless from sickness, mental or physical disability, or infancy, whether such alien requires the protection or guardianship of an attendant (secs. 11, 21); For helplessness;

(*f*) Where the wife or minor children of a domiciled alien are certified as being affected with any contagious disorder, whether such disorder is a loathsome or a dangerous one, the probable length of time needed to determine whether the disorder will be easily curable, and whether they can be permitted to land without danger to other persons (sec. 37); and Wives and minor children;

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Medical examination:

(*g*) Where an alien is certified as being an idiot, imbecile, epileptic, or afflicted with tuberculosis or with a loathsome or dangerous contagious disease, whether the alien was so afflicted at the time of foreign embarkation, whether the existence of the disease or disability might have been detected by means of a competent medical examination at such time, how the previous condition of the alien has been ascertained, and the ground for believing that it might have been detected by a competent examination.

Certificates covering, contents of—

Persons afflicted at time foreign embarkation.

Landing for hospital treatment:

RULE 10. *Landing for hospital treatment.*—(*a*) Where an alien has been excluded by decision of a board of special inquiry and the order for the return of the alien has been suspended, or where an alien is held, pending the determination of his case, by order of court, to await transportation, on account of his health, because his testimony is required in the prosecution of offenders against the act, or for some other cause, an application may be made, accompanied by the certificate of the medical examiner, to the Secretary of Commerce and Labor for permission to allow the landing of the alien for hospital treatment or other appropriate care or attention.

Conditions under which permissible;

Evidence required, in urgent cases—

(*b*) Such an application will be granted as of course where it is certified by the medical examiner that the health or safety of an insane alien would be unduly imperiled by immediate deportation, or where it is manifest to the commissioner of immigration, or the immigration officer in charge, that the condition of the alien requires immediate hospital treatment. In such cases, pending the decision of the Secretary, hospital treatment or other appropriate care or attention shall be immediately afforded.

—in other cases;

(*c*) In all other cases the application will not be granted unless it clearly appears from the report of the commissioner of immigration, or the immigration officer in charge, or from other evidence accompanying the application, that such a course is necessary to meet the ends of justice and humanity.

By "express permission" of Secretary—

(*d*) Applications to land for medical treatment in a hospital of the United States by the "express permission" of the Secretary, made by or on behalf of aliens certified to be suffering from tuberculosis or from a loathsome or dangerous contagious disease (sec. 19), must be accompanied by a certificate of a Public Health and Marine-Hospital surgeon showing the exact character and extent of the malady with which the alien is suffering and estimating the duration of the treatment that will be required to effect a cure. The alien making the application, or the person making it in his behalf, shall deposit with the commissioner of immigration, or inspector in charge, a sum of money sufficient to cover the cost of affording the alien treatment for the period of time estimated in the above-mentioned certificate (and give satisfactory assurances that further deposit will be remitted

Evidence required—

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if needed), if such estimated period does not exceed sixty days; and, in the event the estimate is for more than said time, a deposit shall be made sufficient to cover treatment for sixty days, and satisfactory assurances given that at least fifteen days prior to the expiration of said period a further deposit will be made sufficient to cover cost of treatment for thirty days additional and a remittance of a similar amount fifteen days prior to the expiration of the period covered by this deposit, and so on until the alien is cured and allowed to proceed, or the case otherwise disposed of. The said alien, or person interested in his behalf, shall also be advised that failure in any instance to comply with this requirement will result in deportation by the next sailing of the line involved. There shall also be deposited by the alien, or by the person making the application in his behalf, a sum of money (or transportation ticket and money) sufficient to defray the expense of forwarding the alien, if and when eventually cured, to his destination within the United States; and, in the event that such alien is a person who, by reason of infancy or other cause, will require the care of an attendant while traveling, such deposit shall be sufficient to also cover the expense of detailing an employee of the Immigration Service to accompany the alien to his destination, and the cost of the return of such employee to his or her station, or satisfactory assurances must be given that such an attendant will be furnished by the person making the application. The certificate above mentioned shall be forwarded to the Bureau of Immigration and Naturalization, accompanied by a report of the circumstances of the case, sufficiently detailed to enable the Department to determine whether there are present any peculiar conditions that render the exercise of its authority necessary to meet the ends of justice and humanity. Such report shall also show whether the deposits and assurances hereinbefore mentioned have been made and given, describing the character of the assurances. If the application is granted by the Department the alien will be permitted to enter a hospital for treatment. Should such treatment extend over a period exceeding sixty days and the deposit to cover any succeeding thirty-day period not be promptly forthcoming as above required, the fact of such failure shall be immediately reported to the Department in order that instructions for the deportation of the alien may issue. When any alien so detained is cured and allowed to proceed to destination, such amount as remains unexpended of the deposit or deposits made on his account shall be returned to the depositor and his receipt taken therefor.

Landing for hospital treatment:

By "express permission" of Secretary—

Deposits required—money and transportation;

Procedure regarding alien and deposits;

(*e*) The landing or detention of an alien for the purpose contemplated by this rule shall not be construed in any manner to alter the status of the alien with reference to his right to enter or remain in the United States. (Sec. 19.)

Not admission.

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Wives and children of domiciled aliens: Landing of, for treatment;

RULE 11. *Detention of sick wives or children.*—Where, upon the arrival of the wife or minor child or children sent for by a domiciled alien, or of the minor child or children of a naturalized citizen, born abroad prior to his naturalization, such wife, child, or children are found to be afflicted with a contagious disorder and it can not be immediately determined whether the disorder will be easily curable, they shall be held until a determination can be had, and an application may be made, accompanied by the certificate of the medical examiner, to the Secretary of Commerce and Labor for permission to allow the landing of such wife or child for hospital treatment or other appropriate care or attention. In such cases, where necessary, pending the decision of the Secretary, hospital treatment or other appropriate care or attention shall be immediately afforded. This application or the accompanying papers must clearly show that the husband or father has actually taken up his permanent residence in this country and has actually filed his declaration of intention to become a citizen of the United States, or has actually been naturalized, and that he is in fact the husband or father of the alien in question. Nothing contained herein shall be taken as in any manner affecting the liability of transportation companies under section 9, or as altering the status of the aliens concerned with reference to their admission or exclusion. (See sec. 37, and Rules 10 and 12.)

Evidence required.

Helpless aliens: Guardian en voyage for, when deported.

RULE 12. *Detention of attendants for helpless aliens.*—Where it is found that an alien is helpless from sickness, mental or physical disability, or infancy, and that, if excluded, he will require the protection and guardianship of an attendant upon his return to the country whence he came, if the alien arrives accompanied by others, not more than one of such accompanying aliens (preferably a natural guardian or relative) shall be detained to act if, in the judgment of the commissioner of immigration or the immigration officer in charge, such detention is necessary. Such detention shall not be deemed necessary, but is permissible, in quarantinable cases. If the alien arrives unaccompanied, a suitable person shall be employed for the purpose. The expense incident to such detention or employment and to the transportation involved shall be borne by the transportation company. (Secs. 11, 19, 21.)

Disabled aliens: Hospital treatment of;

RULE 13. *Detention and treatment of aliens, procedure and expense of.*—(*a*) A disabled alien, within the purview of Rules 10, 11, and 12 hereof, may be afforded the required medical treatment on board ship or in the detention quarters, or may be removed to a suitable hospital for treatment, as in his discretion the commissioner of immigration or inspector in charge at the port may decide is required by existing circumstances and the condition of the alien's health as reported upon by the surgeon charged

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with the medical examination of aliens at such port. If such an alien is removed to a hospital he shall not be regarded as in any sense landed, and the cost of his maintenance and care there must be borne in one of the several ways hereinafter specified, as the circumstances of the case may require. Disabled aliens:

(*b*) If in the judgment of the commissioner or inspector in charge, based upon the expressed opinion of the medical examiner, it is necessary as a measure of humanity or for the proper care of an alien removed to hospital to also place in the hospital a suitable attendant or some person who is dependent upon the disabled alien, or the reverse, the cost of the detention in hospital of such additional person must be borne in the same manner as the cost of treating the disabled alien. Attendants for;

(*c*) The expenses involved in detaining or treating aliens shall be borne as follows: (1) *By the immigrant fund.*—In cases of (*aa*) Those held as witnesses under section 19 and Rule 14; (*bb*) Insane aliens whose health or safety would be unduly imperiled by immediate deportation (sec. 19); (*cc*) Wives and minor children of aliens who have declared intention, or minor children of naturalized citizens born abroad prior to naturalization of parent (sec. 37 and Rule 11; Op. Compt., Jan. 15, 1908). (2) *By the alien.*—Those treated by "express permission" of the Secretary, under section 19, although afflicted with tuberculosis or a loathsome or dangerous contagious disease, in accordance with the provisions of Rule 10 (Op. Compt., Jan. 15, 1908). (3) *By the alien, preferably, but by immigrant fund under special authority.*—Aliens whom it is necessary for any reason to hold at a port of entry, *after admission*, in accordance with Rule 15. (4) *By steamship companies.*—Aliens not falling within any of the foregoing classes whom it is necessary for any reason to hold or to treat in hospital *pending determination* of right to land, or awaiting deportation under order of rejection of a board of special inquiry or of the Department (sec. 19). Expenses of hospital care of;

(*d*) Covering cases of the character mentioned in class (4) of the preceding paragraph, bills for hospital treatment and maintenance shall be rendered monthly by hospitals against the steamship companies responsible, through the office of the commissioner of immigration or inspector in charge, the latter's approval to be attached to the bills, if found correct, before forwarding them to the companies for settlement. Officers of the Immigration Service will in all such cases look to the steamship companies for settlement of the hospital bill. If any steamship company refuses to pay such bills rendered with the approval of the immigration officials, it will, of course, be necessary to require thereafter that all aliens brought by the vessels of such company shall be held on board ship until their applications for admission have been finally adjudicated. Bills for hospital treatment of; Refusal to pay for treatment of.

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Witnesses: Holding aliens to act as.

RULE 14. *Holding of aliens as witnesses.*—When it is thought that the deportation of an excluded alien should be suspended so that his testimony may be had in a prosecution of offenders against the Immigration Act, in reporting to the Bureau the violation of law involved, immigration officials should give reasons for the belief that the violators should be prosecuted and the aliens held as witnesses, and if such reasons are found sufficient, authority will issue, with the approval of the Secretary, for the holding of the witnesses at the expense of the "immigrant fund." (Sec. 19.)

Assisting and protecting aliens: Providing means in case of accident.

RULE 15. *Assistance to admitted aliens.*—Any alien who has been admitted may be permitted to wait for friends or remittances upon payment by him of the actual expenses incurred by reason of such delay. In case such an alien is unable, from accident or other unavoidable circumstances, to immediately continue his journey, and is without sufficient means to defray the expense of his enforced delay, the commissioner of immigration may, in his discretion, pay said expense, reporting said case to the Bureau of Immigration and Naturalization, with reasons for his action, and request that such expense be repaid out of the "immigrant fund."

Charges for care and maintenance: Not to exceed actual cost.

RULE 16. *Charges for care and maintenance.*—At ports where the Immigration Service maintains hospitals no charge for food, lodging, or maintenance, or for hospital attendance, medicines, or other hospital expenses shall be made in excess of the actual cost of furnishing the same, the intention being to make the Service self-supporting without profit.

Members of boards of special inquiry: Oath to be taken by.

RULE 17. *Oath, board of special inquiry.*—Any immigration or other Government officer appointed to serve on a board of special inquiry under the provisions of section 25 of the Act approved February 20, 1907, shall be required to subscribe to the following oath:

FORM 566. DEPARTMENT OF COMMERCE AND LABOR,
IMMIGRATION SERVICE.

I, _____, having been designated by _____ _____ to serve as a member of a board of special inquiry, under the provisions of section 25 of the act of Congress approved February 20, 1907, do solemnly _____ that I will use my best endeavors as a member of such board to enforce the laws of the United States relating to the admission or exclusion of certain classes of aliens, and that I will well and faithfully discharge the duties of the office mentioned.

_____ and subscribed before me this _____ day of _____ _____, A. D. 19__.
[Official seal.]

Attorneys: Fees to be charged by;

RULE 18. *Appearance of attorneys.*—Attorneys and persons appearing in behalf of detained aliens shall not be permitted to charge a sum exceeding ten dollars in each case unless the commissioner or officer in charge shall, in

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writing, allow an additional compensation. A family or party of aliens traveling together shall be regarded as constituting a "case" within the meaning hereof. If for any special reason an attorney deems himself entitled to a larger fee, or if it is actually necessary for such attorney to incur expense in an alien's behalf, he shall report such facts to the commissioner or officer in charge when applying for the privilege of charging an additional fee or claiming reimbursement for expenses, and, if permission is granted, shall collect such additional fee or expenses only through the commissioner or officer in charge. Anyone charging an alien a fee prior to his detention, or charging or receiving from an alien or his relatives or friends a fee, gift, or compensation for his services in excess of the above rate, except in the manner provided, or who shall deprive an alien of any part of his chattels or effects in lieu of, or as security for, said fee, will, upon reasonable proof of such misconduct, and after having been allowed a fair opportunity to answer the charge, be disbarred by the Department (to which a full report of the matter shall be made) from practicing at any immigration station of the United States. The names and addresses of attorneys or other persons so disbarred shall be conspicuously posted at the immigration station where the misconduct occurred and their names recorded in the office of the Commissioner-General of Immigration.

Attorneys:

Method of disbarring for misconduct;

Keeping record of.

RULE 19. *Notice of sailings.*—The master, agent, owner, or consignee of any vessel on which aliens are brought to the United States shall, at least twenty-four hours in advance thereof, notify the commissioner of immigration or officer in charge of the intended time of sailing of such vessel, in order that such officer may place on board the vessel every alien brought thereon who has been finally refused a landing.

Notice of sailings:

Masters of vessels to give.

RULE 20. *Admissions under bond.*—If, in following the provisions of Rule 6 hereof relating to appeals, *the board of special inquiry reaches the conclusion* that an alien in whose case a medical certificate for some *physical* defect, other than tuberculosis or a loathsome or dangerous contagious disease, has been rendered *is* excludable solely because such certified physical defect is, in the board's opinion, "of a nature which may affect the ability of such alien to earn a living," or render him liable to become a public charge, but that such alien is otherwise admissible, and, after notice of his right to do so, the alien signifies an intention to apply for admission under bond, the board shall not enter an excluding decision against the alien as in other cases, but shall make a special finding of fact in the premises and report the same, including the certificate of the medical examiner, to the immigration officer in charge, who shall forward the report, together with his recommendation, to the Secretary of Commerce

Admissions under bond:

Cases in which permissible;

Procedure for;

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Admissions under bond: and Labor, through the Commissioner-General of Immigration. (See secs. 10 and 26 and Rule 6.)

Amount of bond; If, in the exercise of the discretion conferred by law, the Secretary decides to admit the alien, a bond will be required in an amount which in no case shall be less than five hundred dollars. The sureties thereto shall be parties of known and ascertained responsibility and approved by the commissioner of immigration or immigration officer in charge. The bond shall be executed in duplicate on forms supplied by the Bureau, but shall not be accepted until landing of the alien under bond is authorized by the Department.

Sureties on bond;

Bond to be in duplicate;

Procedure if bond not forthcoming. If, within a reasonable time, not to exceed thirty days, after the receipt of the Department's authority for the landing of an alien under bond, there is not forthcoming bond with acceptable sureties, that fact, and all others that may have a bearing upon the matter, shall be reported to the Department, with request for instructions; and if in any such case the former decision of the Department is reversed, the alien shall then be formally rejected by the board.

Japanese and Korean laborers: RULE 21. *Japanese and Korean laborers.*—The following rule is promulgated for the purpose of giving effect to an Executive order of the President issued on March 14, 1907, reading:

President's proclamation concerning; Whereas, by the act entitled "An act to regulate the immigration of aliens into the United States," approved February 20, 1907, whenever the President is satisfied that passports issued by any foreign government to its citizens to go to any country other than the United States or to any insular possession of the United States or to the Canal Zone, are being used for the purpose of enabling the holders to come to the continental territory of the United States to the detriment of labor conditions therein, it is made the duty of the President to refuse to permit such citizens of the country issuing such passports to enter the continental territory of the United States from such country or from such insular possession or from the Canal Zone;

And Whereas, upon sufficient evidence produced before me by the Department of Commerce and Labor, I am satisfied that passports issued by the Government of Japan to citizens of that country or Korea and who are laborers, skilled or unskilled, to go to Mexico, to Canada and to Hawaii, are being used for the purpose of enabling the holders thereof to come to the continental territory of the United States to the detriment of labor conditions therein;

I hereby order that such citizens of Japan or Korea, to wit: Japanese or Korean laborers, skilled and unskilled, who have received passports to go to Mexico, Canada or Hawaii, and come therefrom, be refused permission to enter the continental territory of the United States.

It is further ordered that the Secretary of Commerce and Labor be, and he hereby is, directed to take, through the Bureau of Immigration and Naturalization, such measures and to make and enforce such rules and regulations as may be necessary to carry this order into effect.

Subject to general immigration laws; (*a*) Aliens from Japan and Korea are subject to the general immigration laws.

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Japanese and Korean laborers: Limited passports held by;

(*b*) Every Japanese or Korean laborer, skilled or unskilled, applying for admission at a seaport or at a land-border port of the United States and having in his possession a passport issued by the Government of Japan, entitling him to proceed only to Mexico, Canada, or Hawaii, shall be refused admission.

Presumptions concerning;

(*c*) If a Japanese or Korean laborer applies for admission and presents no passport, it shall be presumed (1) that he did not possess when he departed from Japan or Korea a passport entitling him to come to the United States, and (2) that he did possess at that time a passport limited to Mexico, Canada, or Hawaii.

Passports to U. S. or unlimited;

(*d*) If a Japanese or Korean alien applies for admission and presents a passport entitling him to enter the United States or one which is not limited to Mexico, Canada, or Hawaii, he shall be admitted, if it appears that he does not belong to any of the classes of aliens excluded by the general immigration laws.

Evidence as to status of;

(*e*) If a Japanese or Korean alien applies for admission and presents a passport limited to Mexico, Canada, or Hawaii, and claims that he is not a laborer, either skilled or unskilled, reasonable proof of this claim shall be required in order to permit him to enter the United States.

Appeal by;

(*f*) When a Japanese or Korean alien is rejected as being a skilled or unskilled laborer holding a passport limited to Mexico, Canada, or Hawaii, he shall be allowed the right of appeal to the Secretary of Commerce and Labor under the same conditions as attach to aliens rejected under the general immigration laws.

Arrest of;

(*g*) If a Japanese or Korean skilled or unskilled laborer is found in the continental territory of the United States without having been duly admitted upon inspection, the procedure employed under the general immigration laws for the arrest and hearing of aliens who have entered the United States surreptitiously shall be observed, to the end that the right of such alien to be and remain in the United States may be determined; and if it shall appear that such alien falls within the class excluded by the foregoing Executive order, and has entered the United States since the 14th of March, 1907, the said alien shall be deported according to the provisions of sections 20, 21, and 35 of the act of Congress approved February 20, 1907.

Deportation of;

Right of, to communicate with diplomatic officers;

(*h*) In case any Japanese or Korean is detained or denied admission by virtue of the foregoing Executive order, he shall, in addition to being informed of his right of appeal to the Secretary of Commerce and Labor, be advised that he may communicate by telegraph or otherwise with any diplomatic or consular officer of his Government, and shall be afforded opportunities for so doing.

Courtesy and consideration due to;

(*i*) The officials of the Department charged with the enforcement of the immigration laws are instructed that in the execution of this rule scrupulous care shall be

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Japanese and Korean laborers:

taken to see that the courtesy and consideration which the Department requires in the case of all foreigners, of whatever nationality, are shown to those affected by this rule. All officers of this Department are hereby warned that no discrimination will be tolerated, and that those coming under this rule must be shown every courtesy and consideration to which the citizens of most favored nations are entitled when they come to the United States.

Definition of term "laborer, skilled and unskilled;"

(*j*) For practical, administrative purposes, the term "laborer, skilled and unskilled," within the meaning of the Executive order of March 14, 1907, shall be taken to refer primarily to persons whose work is essentially physical, or, at least, manual, as farm laborers, street laborers, factory hands, contractors' men, stable men, freight handlers, stevedores, miners, and the like; and to persons whose work is less physical, but still manual, and who may be highly skilled, as carpenters, stone masons, tile setters, painters, blacksmiths, mechanics, tailors, printers, and the like; but shall not be taken to refer to persons whose work is neither distinctively manual nor mechanical, but rather professional, artistic, mercantile, or clerical, as pharmacists, draftsmen, photographers, designers, salesmen, bookkeepers, stenographers, copyists, and the like. The foregoing definition is subject to change, and will not preclude the Secretary of Commerce and Labor from deciding each individual case which comes to him by way of appeal in accordance with the particular facts and circumstances thereof.

Indorsement of passports.

(*k*) Passports presented by Japanese and Koreans shall be plainly indorsed, in indelible ink, by the officer admitting or rejecting the applicant, in such a manner as to show the fact and date of admission or rejection, the name of the officer being signed to such indorsement; after which the passport shall be returned to the person by whom presented.

Seamen:

RULE. 22. In consideration of the necessities of commerce and navigation, it has been held that foreign seamen arriving at the ports of the United States, and landing therein in the pursuit of their calling, are not ordinarily within the operation of the immigration act (23 Op. Atty. Gen., 521; 207 U. S., 120). But in order that this exemption shall not avail to permit the introduction into the United States of aliens excluded therefrom by the said act, it is necessary to observe the following distinctions between foreigners who are seamen and other aliens:

Why examination of necessary;

Who are seamen;

A seaman is any person employed to serve in any capacity on board any vessel plying between foreign ports and ports of the United States, whose occupation consists in following the sea, and who lands in the United States with no intention of remaining, and not otherwise than on shore leave, or on the business of his vessel, or for the purpose of reshipping.

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Seamen:

In coastwise trade;

Aliens, members of the crew of vessels engaged in the coastwise trade of the United States, are aliens within the meaning of the immigration act and subject to its provisions (Ops. Solr., June 14, 1907, and Sept. 16, 1907).

Discharged;

Aliens, though members of the crew of vessels engaged in the foreign trade, if their employment terminates at the end of the voyage to the United States, or if discharged in a port of the United States, are to be treated as seamen only if it appears that they intend to reship on a vessel bound to a foreign port, or to depart from the country within a reasonable time.

Deserting;

Aliens, though members of the crew of vessels engaged in the foreign trade, if they desert their ship, shall, until the contrary is shown, be deemed to have abandoned their calling, and to be no longer seamen, within the meaning of this rule.

Found in United States otherwise engaged;

Aliens, though landing in the United States as seamen, if found thereafter engaged in any occupation not connected with the business of a vessel to which they are attached, or if found to be public charges, shall be treated as other aliens are treated, and shall be liable to deportation in like manner and for like causes.

Application of act to;

In the application of the immigration act to aliens, members of the crew of vessels engaged in the foreign trade of the United States, the following instructions will be observed:

General procedure regarding—

To what extent examined;

(*a*) Aliens coming to the United States as members of the crew of any vessel, who are found to be seamen as herein defined, shall not be examined by officers of the Immigration Service further than may be necessary to determine their status as seamen, and to ascertain that they are not insane, idiots, imbeciles, epileptics, or persons afflicted with tuberculosis or with a loathsome or dangerous contagious disease; head tax shall not be certified on their account; they shall not be prevented from landing temporarily in the United States, nor required to land at any designated time or place; neither shall any manifest of them be required, nor shall they necessarily be returned to the country whence they came by the vessels bringing them. Alien seamen, however, who are insane, idiots, imbeciles, epileptics, or persons afflicted with tuberculosis or with a loathsome or dangerous contagious disease, and the existence of whose disease or disability might have been detected by means of a competent medical examination at the time of foreign embarkation, are persons whose employment on board vessels is in nowise necessary to commerce and navigation, and who are, accordingly, not within the exception in favor of seamen, because not within the reason thereof. The bringing of such seamen to the United States, therefore, is unlawful by the terms of section 8.

If mentally or physically afflicted, not considered *bona fide;*

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Seamen:

All seamen to be primarily inspected;

(*b*) All aliens coming to the United States as members of the crew of a vessel, who, for any of the reasons hereinbefore mentioned, are found not to be seamen as herein defined, shall in no respect be distinguished, by reason of their present employment, from other aliens seeking admission into the United States; but it shall be the duty of the inspectors and medical officers detailed for the purpose to determine whether such aliens are clearly and beyond doubt entitled to land, and to hold for examination by a board of special inquiry such as are not so entitled, and to follow the same procedure as in the case of alien passengers seeking to land, including the certification of head tax on account of those landed.

If not *bona fide*, must not be landed;

(*c*) In case any alien employee of a vessel is found by the immigration officials not to be a *bona fide* seaman seeking to land in the pursuit of his calling, and is declared by such officials inadmissible under the immigration act, the master, owner, agent, or consignee of such vessel will be required, subject to the penalties imposed by said act, to prevent the landing of such inadmissible alien and to return him to the country whence he came.

Head tax not assessable on if *bona fide;*

(*d*) Head tax shall not be assessed on account of *bona fide* seamen landing in the pursuit of their calling. On account of such as are discharged with the intent to remain in the United States, and on account of those who are found or shown to have deserted and remained in the United States, the head tax shall be assessed.

Manifests of not *bona fide;*

(*e*) Of such aliens employed on board vessels as are found by the immigration officials not to be *bona fide* seamen, or not to be seeking to land in the regular course of their pursuit with intent to continue their calling, the immigration officials shall prepare lists, in lieu of manifests, for use in compiling statistics, indicating in such lists that the alien applicants therein enumerated arrived at the port as employees of a vessel.

Procedure if ill and law of vessel's country requires return home;

(*f*) If, upon the arrival of a vessel from a foreign port, it is discovered that any alien member of the crew of such vessel is ill or disabled to such an extent as to make it obligatory upon the master of the vessel, under the navigation laws of the country to which the vessel belongs, to return the seaman to the country where he embarked, immigration officials shall confer with the master and with the consular representative of the country to which the vessel belongs, with the object of perfecting plans by which the master may be able to observe the laws of his own country without making possible or encouraging a violation of the immigration laws of the United States. If the disabled seaman relinquishes his calling, he shall be treated like any other alien seeking admission to the United States; and if, upon being brought before a board of special inquiry, his rejection

Care to be exercised concerning, when ill and allowed transit;

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Seamen:

is ordered the master of the vessel shall be required to return him by such vessel, or at his own expense, to the country where he embarked. If the seaman does not relinquish his calling, or if the master desires to return him otherwise than by the vessel on which he arrived, it will be permissible for him to pass through the United States, in transit to the country where he embarked, by the most expeditious and direct route: *Provided*, That (if he is suffering with a loathsome or dangerous contagious disease, or with tuberculosis, or is in such physical or mental condition as to render him a person likely to become a public charge or otherwise inadmissible) arrangements are made for his proper care while passing through the country, and a sum of money sufficient to defray the expenses thereof is furnished by the master of the vessel. This being a provision made in the interest of trade, and because of the peculiar position occupied by seamen under principles of international comity, immigration officials shall exercise care to insure a thorough understanding with all parties concerned, that violations of the immigration laws may be provided against, and that the spirit of foreign laws may be observed.

Special procedure concerning, to be followed in lieu of general procedure if agreed to by vessel—

(*g*) With a view to the more efficient enforcement of the immigration law with respect to foreign crews, and for the greater convenience both of officers of the Immigration Service and of the commercial interests involved, the following special procedure will be observed in cases where the master, agent, owner, or consignee of any vessel engaged in the foreign trade of the United States shall give satisfactory assurances of ability and willingness to comply with the conditions thereof:

Mental and physical examination of, at foreign ports;

1. The master, owner, agent, or consignee of any such vessel shall enforce at its foreign ports of departure and call a rigid medical examination of aliens seeking employment on such vessel which will insure the rejection of any and all applicants suffering with any mental or physical affliction which would make them inadmissible to the United States under section 2, or would render the vessel liable to the fine mentioned in section 9 of the immigration act. Any failure on the part of any vessel to enforce such a medical examination in the case of any member of the crew, coming to the knowledge of an officer of the Immigration Service, shall be promptly reported to the Department for appropriate action.

Report of prospective discharge of, in United States ports;

2. In any case in which an alien seaman is not employed or articled for the return trip voyage to and away from the United States, and in any case in which it becomes necessary for any reason to discharge an alien member of a crew, the master, owner, agent, or consignee of the vessel shall notify the commissioner of immigration or the immigrant inspector in charge at the port of such necessity in due season to permit the inspection and examination of such alien under the provisions of the immigration act.

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Seamen:

Regulation of shore leave, and reporting suspicious cases of;

3. Masters, owners, agents, and consignees of such vessels shall enforce in the ports of the United States regulations on the subject of shore leave which will prevent as far as possible the permanent landing of alien members of the crew before inspection by the immigration authorities. They shall, also, furnish the immigration authorities with the names of aliens employed on their vessels of the *bona fides* of whose intention to follow the sea they have any reason to doubt, and shall afford opportunity for the inspection of such aliens; and, except by express permission of the Immigration Service, they shall under no condition grant shore leave or permit the landing of alien seamen who are insane, idiots, imbeciles, epileptics, or persons afflicted with tuberculosis or with a loathsome or dangerous contagious disease.

Reporting desertions of, and apprehending deserters;

4. When desertions occur, the master, agent, owner, or consignee of the vessel shall promptly notify the local immigration authorities of the name and description of the deserter, and any other information obtainable which would aid in the apprehension of such deserter, to the end that he may be returned to the vessel for conveyance to the foreign port of shipment.

Presumptions in favor of vessels under special procedure.

Where the foregoing conditions have been faithfully complied with, and satisfactory evidence thereof has been presented, of the sufficiency of which the Secretary of Commerce and Labor shall be the sole judge, the master, agent, owner, or consignee will be deemed to have provided a "competent medical examination" of the vessel's crew at the time of foreign embarkation within the meaning of section 9, and will be deemed to have taken reasonable precautions to prevent the landing of alien members of the crew within the meaning of section 18; and the special procedure prescribed in the several articles of this paragraph (*g*) will be followed.

Stowaways:

RULE 23. *Alien stowaways.*—The immigration act contains no provision relating in terms to stowaways, and the sections thereof prescribing inspection of applicants for admission do not, as a general rule, cover their cases.

Reasons for not examining under law;

There are two good and sufficient reasons for refusing to examine stowaways: (1) By stealing passage they not only evade on their own account, but make it impossible for vessel officials to observe the mandatory terms of sections 9 and 12 to 15, requiring medical inspection and detailed manifesting *at the foreign port of embarkation*, so that they occupy the status of persons who have failed to comply with plain provisions of law, an observance of which is necessary to a proper inauguration of their inspection under section 16; and (2) even aside from the fact that stowaways thus come before the immigration officials as violators of the law, they are persons obviously falling within the excluded classes named in section 2 in every instance, at least to the extent that they are persons who are "assisted by others to come," and with respect to

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Stowaways:

whom it would be practically impossible to show "affirmatively and satisfactorily" that they do not belong to the excluded classes.

Not to be examined, *as general rule;*

Therefore, alien stowaways shall not, as a rule, be examined or permitted to land at ports of the United States, nor shall head tax be certified on their account. The masters of vessels immediately upon arrival shall report to the immigration officer in charge the names of any alien stowaways on board, and shall take every precaution to prevent their landing, subject to the penalty prescribed by section 18, holding them on board the vessel until it departs from the United States.

Vessels to report concerning;

Exceptional cases of, to be brought to attention of Department.

While these regulations cover all ordinary cases of stowaways and will in practice be found to be of almost universal application, yet cases may rarely arise in which the alien, though a stowaway, may nevertheless be entitled to inspection and to admission if found to belong to none of the excluded classes. For example, the alien, though originally a stowaway, may have been, because of the particular facts of his case, accepted by the vessel as a passenger and manifested in such a way as to substantially comply with the law, or may have been employed as a member of the crew, or the causes which led the alien to stowaway may have been such as to bring his case within the first proviso to section 2 of the immigration act, and entitle him to special consideration. Exceptional cases of this character should be promptly brought to the attention of the Department, with a full statement of facts and a request for instructions.

Ports of entry, Canada:

List of.

RULE 24. *Ports of entry, Canada.*—In accordance with section 36, the following are named as Canadian border ports of entry for aliens; and any alien who enters the United States across such border at any other point shall be deemed to have entered the country unlawfully, and shall be arrested and deported under sections 20, 21, and 35 of said act, in the manner provided by Rule 34 hereof: Eastport, Calais, Vanceboro, Houlton, and Lowelltown, Me.; Beechers Falls, N. H.; Island Pond, Newport, Richford, St. Albans, Swanton, and Alburg, Vt.; Rouses Point, Malone, Fort Covington, Nyando, Ogdensburg, Morristown, Clayton, Cape Vincent, Charlotte, Lewiston, Niagara Falls, and Buffalo, N. Y.; Detroit, St. Clair, Port Huron, and Sault Ste. Marie, Mich.; Duluth, Beaudette, and Noyes, Minn.; Pembina, Neche, Portal, and St. John, N. Dak.; Sweet Grass and Gateway, Mont.; Porthill and Eastport, Idaho; Marcus, Oroville, Sumas, and Blaine, Wash.

Canadian agreement:

Admission under;

RULE 25. *Admission and exclusion, Canadian ports.*—In view of the agreement between the various steamship and railroad companies in the Dominion of Canada and the Commissioner-General of Immigration of the United States of America, inspection and entry of aliens into the

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Canadian agreement:

United States from foreign countries, through Canadian territory, under the Immigration Act, will be accomplished in accordance with the following provisions:

Seaports of inspection;

(*a*) All aliens arriving in Canada, destined to the United States, shall be inspected at any one of the following ports: Halifax, Nova Scotia; Quebec and Point Levi, Quebec; St. John, New Brunswick; and Vancouver and Victoria, British Columbia; and the holders of certificates, duly signed by the United States commissioner of immigration for Canada, shall be entitled to admittance to the United States, at any one of the places of entry along the border thereof named in Rule 24, without further examination by the United States immigration officers as to their right to enter, upon their identification and their surrender of said certificates to such officials.

Certificates of admission;

(*b*) The said certificates shall be in the following form:

Alien certificate. No. ____

Form of;

FORM 524. DEPARTMENT OF COMMERCE AND LABOR,
IMMIGRATION SERVICE,

_____, _____.

This is to certify that _____, a native of _____, who arrived at the port of _____ per steamship "_____," on the _____, 19__, has been duly inspected and registered, and will be admitted into the United States upon proper identification and surrender of this certificate to any immigration officer at the frontier.

The description of the holder is as follows: Age, _____; height, _____; weight, _____; color of hair, _____; color of eyes, _____

Remarks: [Note destination, etc.]_____

_____,
U. S. Commissioner of Immigration.

Surrendered at _____, to Inspector _____
_____, 19__.

Seaport examination by inspectors and boards;

(*c*) The examination at Canadian ports of all aliens destined to the United States shall be similar in all respects to that conducted at ports of the United States. Such aliens as, in the opinion of the examining inspector, are not clearly entitled to admission shall be taken before a board of special inquiry, the decision of which shall be final, unless reversed upon appeal, as provided for in section 25.

Deportation of rejected aliens;

(*d*) All aliens arriving at Canadian seaports, destined to the United States and who may be adjudged inadmissible thereto, shall be refused the certificates herein called for, and the steamship company bringing such aliens to such Canadian seaport shall be required to return them to the countries from which they respectively came.

Manifests of incoming passengers;

(*e*) The masters, owners, or agents of vessels bringing aliens to Canadian ports, destined to the United States, shall be required to furnish to the United States immigrant inspectors in charge at such ports complete manifests

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and alphabetical books of all alien passengers arriving upon vessels of their respective lines, and, in addition thereto, complete manifests of all alien passengers destined to the United States such as are now required by law in the cases of vessels bringing aliens to the ports of the United States; and the said masters, owners, or agents shall pay to the United States commissioner of immigration for Canada the sum of four dollars for each and every alien brought to a Canadian port and destined to the United States: *Provided*, That no head tax shall be levied against or collected from Canadian steamship lines on aliens brought to Canada, destined to the United States, who are shown to belong to any one of the excluded classes and who are returned to the country whence they came. In addition to the foregoing, the Canadian steamship companies will furnish to the United States commissioner of immigration for Canada (for transmission to the Commissioner-General of Immigration) manifests of all passengers not citizens of the United States leaving the United States and proceeding by the vessels of such companies to foreign ports, as required in the cases of United States transportation companies by section 12.

Canadian agreement; Payment of head tax; Manifests of outgoing passengers;

(*f*) All aliens of the class upon whom head tax is chargeable not provided with certificates of the character described in paragraph (*a*) hereof who shall apply at the border between Canada and the United States within one year after arriving at a Canadian port shall be required to return to such port, or to any one of the ports designated in paragraphs (*a*) and (*f*) hereof, for guaranty of payment of head tax, examination, and the procurement of the certificate described in paragraph (*a*): *Provided*, That aliens destined in good faith to Canada, and who shall have settled at some point in the Dominion of Canada, who shall apply as above for admission to the United States within one year after arrival in Canada, shall be examined by the boards of special inquiry located at any one of the following points: Yarmouth, Nova Scotia; Montreal, Quebec; Newport, Vt.; Buffalo and Suspension Bridge, N. Y.; Detroit, Port Huron, and Sault Ste. Marie, Mich.; Duluth, Minn.; Winnipeg, Manitoba; Portal, N. Dak.; Sweet Grass, Mont.; and Sumas and Blaine, Wash. That the decisions of the said boards of special inquiry shall have the same force and effect as decisions rendered by boards of special inquiry at seaports of the United States. That the various steamship lines shall return at their own expense, from some seaport of the Dominion of Canada or of the United States, as they may deem most practicable and may elect, to the trans-Atlantic or trans-Pacific country whence the aliens came, those aliens coming within the provisions of this paragraph who are shown to belong to any of the excluded classes mentioned in section 2, whenever in the

Certificates of admission; Extra boards; Effect of board decision; Deportation of aliens rejected by boards;

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Canadian agreement: judgment of the Secretary of Commerce and Labor the deportation of such aliens in the manner described is deemed necessary to safeguard the interests of the United States.

Facilities at seaports; (*g*) All facilities in the way of accommodations, access to aliens, and the keeping of aliens apart from the public until after inspection shall be afforded to the immigrant inspectors of the United States at the Canadian ports of landing to enable them to make such inspection as is required by the laws of the United States.

Certificates of admission; (*h*) It is expected that the railway and other transportation companies in the Dominion of Canada will not sell to any aliens en route to any part of the United States tickets for their transportation, or transport them in cars or vessels from the port of entry, until after they have exhibited their certificates as herein provided, and will not knowingly transport into the United States any rejected or undesirable aliens or those who are by law prohibited from entering said country, but will return the rejected aliens to the ports at which they arrived. All aliens on account of whom the transportation companies are exempted from payment of head tax, who proceed to the border between the United States and Canada without having first been examined and granted a certificate of admission of the character described in paragraph (*a*) hereof, and who may be excluded by a border board of special inquiry, shall be returned by the transportation company carrying said aliens to the border a reasonable distance in Canada from said border. Aliens of the class last above mentioned carried to a border point where there is no board of special inquiry shall be returned and conveyed for examination to the nearest point at which a board of special inquiry is located.

Prerequisite to transportation;

Returning aliens not holding certificates of admission;

Examination before boards;

Deportation of excluded and deportable classes; (*i*) The various steamship lines, parties to the Canadian agreement, shall return at their own expense, at any time within three years from the date of landing in Canada, from some Canadian port, or when that is not practicable from some port of the United States, such aliens as, having been brought into the Dominion of Canada upon their respective lines and having subsequently proceeded to the United States, are shown to belong to any one of the excluded or deportable classes mentioned in the act of Congress approved February 20, 1907, whenever deportation of such an alien is ordered by the Secretary of Commerce and Labor.

Application of regulations to aliens coming through Canada; (*j*) The immigration regulations adopted by the Department of Commerce and Labor relating to the examination of aliens at ports of the United States shall apply, in so far as may be practicable, to the inspection of aliens coming through the Dominion of Canada destined to the United States.

Guaranteeing payment of head tax; (*k*) All aliens of the taxable class seeking to enter the United States from Canada or Newfoundland shall be

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denied examination under the United States immigration laws (except to a sufficient extent to determine their liability for head tax) until they present to the examining officer or officers a certificate from a duly appointed agent of the transportation company bringing such aliens to the border, guaranteeing that responsibility for the payment of head tax on account of such aliens will be assumed by said transportation company, certificate guaranteeing payment of head tax being returnable to the applicant for admission in the event of his exclusion, such certificate before its return to the alien to have the word "Rejected" stamped or written in red ink across its face. Canadian agreement: Returning head-tax certificate;

(*l*) All moneys collected as provided in paragraph (*e*) hereof shall be transmitted by the United States commissioner of immigration for Canada to an assistant treasurer of the United States in the same manner as other miscellaneous collections are reported by collectors of customs of the United States, to be deposited to the credit of the Treasurer of the United States on account of the "immigrant fund." Statement of such receipts, under this agreement, must be rendered monthly to the Secretary of Commerce and Labor, on forms provided for that purpose. Disposition of head tax collected in Canada;

(*m*) Said United States commissioner of immigration for Canada shall give bond to the United States in the sum of ten thousand dollars, with sureties approved by the Secretary of Commerce and Labor, conditioned for the faithful discharge of his duties and the remittance of above collections. He shall make monthly reports to the Commissioner-General of Immigration, upon blanks to be furnished by the Department of Commerce and Labor, of all aliens arriving at stations under the jurisdiction of the said commissioner of immigration. Commissioner bonded;

(*n*) United States officers charged with the execution of the immigration laws and regulations along the Canadian border will, at the end of each month and from time to time as may be required, report in writing to the United States commissioner of immigration for Canada, upon blanks to be prescribed by him, the number of aliens passing through their respective ports of entry and the Canadian ports at which they landed, and the said commissioner of immigration for Canada will make to the Commissioner-General of Immigration similar reports in consolidated form, comprising both ocean and border ports. Reports from Canadian border.

RULE 26. *Ports of entry, Mexico.*—In accordance with section 36, the following are named as Mexican border ports of entry for aliens, and any alien who enters the United States across such border at any other point shall be deemed to have entered the country unlawfully, and shall be arrested and deported, under sections 20, 21, and 35 of said act, in the manner provided by Rule 34 hereof: Brownsville, Hidalgo, Rio Grande City, Laredo, Eagle Pass, Del Rio, Presidio, and El Paso, Tex.; Douglas, Ports of entry, Mexico: List of.

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Mexican border: Naco, and Nogales, Ariz.; and Andrade, Campo, Calexico, and Tia Juana, Cal.

Inspection along; RULE 27. *Admission and exclusion, Mexico.*—Aliens applying for admission at the Mexican border ports of entry named in Rule 26 are subject to examination in the same manner and to the same extent as though arriving at seaports, except in the following particulars:

Blanks to be used in collecting statistics and head tax; (*a*) In the cases of aliens who are brought to said ports by a transportation or bridge company statistical data shall be gathered and information as to the manner in which head tax, if taxable, is to be assessed indicated by the use of a blank form reading as follows:

Report of inspection—Mexican border.

FORM 548. DEPARTMENT OF COMMERCE AND LABOR,
IMMIGRATION SERVICE,
PORT OF _____,
(*Date*)_____, *19*__

Name of passenger, _____; Age, _____; Sex, _____; Married or single, _____; Calling or occupation, _____; Read or write, _____; Nationality, _____; Race, _____; Last residence, _____; Final destination, _____; Ticket to destination, _____; Who paid passage? _____; Money, _____; Going to relative or friend; of so, whom? _____; Ever in U. S.? _____; if so, where and when? _____; Ever in prison, etc.? _____; Polygamist, _____; Anarchist, _____; Contract laborer, _____; Health, etc., _____; Whether in transit; and if so, how? _____; Admitted on primary inspection, _____; Held for board of special inquiry, _____; Whether taxable; and if so, transportation or bridge company or individual responsible for payment of head tax, _____

(*Signature*)_____
(*Title*)_____

Use of above blank; (*b*) The above blank shall be used by every officer of the immigration service making examinations of aliens brought to Mexican border ports by transportation or bridge companies, and shall be filled out completely in each case and delivered to the inspector in charge at the port of entry, who will thereupon compile from such forms a detailed notice to the collector of customs, upon blanks which will be provided, reading as follows:

Blanks for reporting aliens subject to head tax;

Statement of aliens subject to head tax—Mexican border.

FORM 549. DEPARTMENT OF COMMERCE AND LABOR,
IMMIGRATION SERVICE,
OFFICE OF _____,
PORT OF _____,
(*Date*)_____, *19*__

COLLECTOR OF CUSTOMS,
Port (or district) of _____

I hereby certify that head tax has been incurred by _____ (transportation or bridge company or individual) _____ on account of alien passenger__ arriving by[a] _____ on this date, and duly admitted, as follows:

Aliens subject to head tax, at $4 each, as follows:

_____ $_____
_____ _____

[a] Give train number or state mode of transportation.

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Mexican border:

Amount to be deposited on account of alien__ in transit (Rule 41) and held as special deposit (Treasury decision 24439), as follows:

---------- $----------
---------- ----------

Total---------- $----------

(*Signature*)----------

(*Title*)----------

Examination concerning funds in alien's possession.

(*c*) In the cases of taxable aliens who cross the border by other than regular (bridge or railway) transportation as a preliminary to regular examination under the laws, such alien shall be questioned only sufficiently to determine with precision whether, in the event that full examination should show him to be admissible, he is in financial condition to pay the four dollars head tax. If found to be in possession of sufficient funds in this respect, the examination may be completed, and if the alien is found eligible he shall be required to pay the head tax before being permitted to land; the blanks above given to be used for the purpose of certifying the head tax to the collector of customs.

Fines:

On account diseased aliens—

RULE 28. *Fine, bringing of diseased aliens.*—As a means of enforcing the collection of any fine imposed under the provisions of section 9 of the Immigration Act, the said section directs the refusal of clearance papers to any vessel bringing an alien diseased as described therein to a port of the United States. To avoid, on the one hand, the denial of reasonable time to the master, agent, owner, or consignee to show cause why such fine should not be imposed and, on the other hand, the loss of the summary and effective means provided for the collection of such fines, the following instructions will be observed:

Manner of imposing;

Medical certificates;

(*a*) The certificate of the medical examiner in the case of an alien afflicted with a loathsome or dangerous contagious disease shall state in terms whether, in his judgment, the "existence of such disease might have been detected by means of a competent medical examination at the port of foreign embarkation."

Notification;

(*b*) Upon the receipt of a medical certificate in compliance with the preceding paragraph hereof, the commissioner of immigration or inspector in charge at the port of arrival shall *at once* serve notice upon the master, agent, owner, or consignee of the vessel upon which such alien arrived in the following form, printed blanks for that purpose to be procured from the Department, viz:

Form of notice;

Notice of liability for fine on account of bringing diseased alien to the United States.

FORM 507. DEPARTMENT OF COMMERCE AND LABOR,
IMMIGRATION SERVICE,
OFFICE OF----------:-,
PORT OF----------,
----------, *19*__

[Prepare in triplicate.]

To----------
---------- of the steamship ----------
[Master, agent, owner, or consignee.]

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Fines:

In conformity with the requirements of Rule 28 of the Immigration Regulations, you are hereby notified that the certificate of the examining surgeon, based upon a physical examination of the alien whose name is shown herein, indicates that a fine should be imposed under the provisions of section 9 of the Immigration Act approved February 20, 1907.

If you desire a hearing as to whether a fine should be imposed in this instance, you will be allowed sixty days from the date of this notice for that purpose, and the vessel on which the said alien arrived will be granted clearance papers when she is ready to sail and allowed to proceed upon her outward-bound voyage, upon condition that you deposit with the collector of customs at this port, prior to her sailing, the sum of one hundred dollars as security for the payment of the said fine, should it be imposed.

Name of alien.	Steamship.	Disease.
----------	----------	----------

---------- [Name.]

---------- [Official title.]

Received the above notice ----------, 19--, at -------- M. [Time.]

---------- (Witness:)

Disposition of notice;

(*c*) The notification shall be prepared in triplicate, the original to be delivered by an employee of the Immigration Service at the office of the master, agent, owner, or consignee to whom it is addressed, said employee to witness the signature of the recipient. Receipt of service shall be indorsed upon the duplicate and triplicate, the duplicate to be returned to the office of the commissioner of immigration or inspector in charge and preserved as proof of delivery, and the triplicate to be delivered to the collector of customs, who will withhold clearance papers until the deposit is made.

Deposit;

(*d*) The special deposit of one hundred dollars required to stay action for the period of sixty days shall be made to the collector of customs for the district wherein the port of arrival is located before such sailing, and in default thereof all further proceedings shall be discontinued and the facts certified to the Bureau of Immigration and Naturalization by first mail, together with the medical certificate and duplicate notice, in order that such action may be taken as the evidence requires.

Stay of action;

(*e*) If, after service of the notice as provided in paragraph (*b*) of this circular, the deposit of one hundred dollars has been made in conformity with the said notice, the commissioner of immigration or inspector in charge shall suspend further proceedings until the submission of the evidence offered to show why the said fine should not be imposed, or until the lapse of the specified period of sixty days thereafter. When the said evidence has been submitted it shall be forwarded, together with the certificate of the examining surgeon and duplicate notice, to the Commissioner-General of Immigration, for presentation to the Secretary of Commerce and Labor, by the

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said commissioner or inspector in charge, who shall at the same time present his written views as to whether the said fine should be imposed. If no evidence is submitted prior to the expiration of the said sixty days, then said commissioner or inspector in charge shall report the case, without such evidence, for action by the Secretary of Commerce and Labor. Fines:

(*f*) Upon receipt of the decision of the Secretary of Commerce and Labor, a copy thereof shall be forwarded to the collector of customs, together with such data as may enable him to identify the special deposit made in that particular case. If the said decision imposes the fine, the one hundred dollars deposited as security shall be accounted for by the said collector in the usual manner as a fine; if the decision holds that the penalty has not been incurred, the collector of customs shall return to the depositor the amount deposited as security. Final proceedings.

RULE 29. *Fine, failure to deliver manifests.*—If the master or commanding officer of any vessel bringing aliens to a United States port fails to deliver to the immigration officers at such port lists or manifests, as required by sections 12, 13, and 14, and it therefore becomes necessary to collect the fine imposed by section 15, the following instructions shall be observed: Fines—*For nonmanifesting*—

(*a*) Written notice, clearly setting forth the particulars in which the lists or manifests are deficient, shall be served upon the steamship company concerned, allowing such company the period of sixty days from date of notice within which to place before the Department, through the local immigration officials, such evidence, if any, as said company may possess to show cause why the statutory penalty should not be collected. Copies of such notices and the responses thereto shall be kept of record, and shall be forwarded to the Department in the event the collection of the penalty is protested; and in no protested case shall suit be instituted to enforce collection until the Department has rendered a decision directing that collection be made. Notice and procedure as to incoming passengers; Procedure for protesting collection;

(*b*) Similar notice shall be given by collectors of customs as a preliminary to collecting fines for failure to promptly furnish manifests of outward-bound alien passengers. (See Rule XXIX, statistical regulations.) Notice as to outgoing passengers;

(*c*) Under an opinion of the Attorney-General, the fine mentioned in this rule can not be remitted. (25 Op. At. Gen., 336.) Can not be remitted;

(*d*) In no case covered by this rule shall the aggregate amount of fines collected in any one instance of departure of a vessel exceed one hundred dollars. Aggregate not to exceed $100, in cases departure;

(*e*) The detailed statistical information required under section 12 of the Immigration Act and section 1 of the naturalization act of June 29, 1906, shall not hereafter be required to be furnished in the cases of diplomatic and Exemption on account diplomatic and consular officers;

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Fines: consular officers, and other officials duly accredited by their governments, together with their suites, families, and guests, coming to the United States or in transit. The names of all such diplomatic and consular representatives and their suites, families, and guests, with their respective titles, should, however, appear grouped together upon the manifest.

Questioning aliens concerning items lacking in manifests. (*f*) As an additional precaution, all aliens examined at ports of entry, concerning whom complete information is not furnished in the manifests, should be questioned as to whether demand was made upon them by the representatives of the steamship company at the port of foreign embarkation for the items of information that are lacking; and in case such answer is in the negative, the affidavit of the alien shall be taken and filed for future reference if required.

Certificate of surgeon, regarding aliens aboard vessel: What acceptable. (*g*) The certificate (unverified) of a responsible surgeon located at the point of embarkation or at the last port of call, prepared in the form appearing upon the reverse side of the manifest (Form 1500), shall be accepted as a sufficient compliance with section 14 requiring that when no surgeon sails with a vessel bringing aliens to the United States, the mental and physical examination of such aliens shall be made by "some competent surgeon employed by the owners of the said vessel."

Manifests: Alphabetical indexes of. (*h*) There will be furnished to the steamship company by the Bureau of Immigration and Naturalization blank books suitable for use in the preparation of alphabetical indexes of manifests.

Fines: Method of reporting when U. S. attorney requested to prosecute. RULE 30. *Fines, reporting of.*—The following method will be observed in reporting fines incurred under the immigration laws:

(*a*) Commissioners of immigration or inspectors in charge will, in all cases wherein a United States attorney is requested to institute proceedings for the recovery of prescribed penalties or to undertake criminal prosecution of an alleged offender against the immigration laws, make a report at the same time to the collector of customs for the district in which the offense was alleged to have been committed. Said report shall be rendered in every case which may arise, irrespective of the possible outcome of any legal proceedings, and shall embrace the following: (1) Date when offense was committed; (2) act, and section thereof, violated; (3) nature of offense; (4) name of offender; (5) nationality, kind, and name of vessel; (6) statutory amount of fine; (7) date of reporting case to United States attorney.

(*b*) Upon receipt of the above reports, the collector of customs will give each case a number in chronological order. When more than one section of a statute is violated by the same vessel, a separate case number will be given to each violation.

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Fines:

(*c*) At the close of each month, collectors of customs will render reports in the same manner as in the case of navigation and steamboat-inspection fines, viz: All fines incurred during the month must be reported on Form Cat. No. 1078, showing, under the heading "Remarks," the date when the case was reported to the United States attorney.

(*d*) All fines disposed of during the month must be reported on Form Cat. No. 1032. In connection with this form, the account current (Form Cat. No. 1030) must be used.

(*e*) At the close of June and December in each year, semiannual reports, on Form Cat. No. 1079, must be rendered, showing all unsettled cases on hand and explaining the cause of delay in disposing of them.

RULES RELATING TO DEPORTATION.

Deportation, aliens subject to:

RULE 31. *Deportation, aliens subject to.*—Aliens of the following classes are subject to arrest, upon the warrant of the Secretary of Commerce and Labor, and to deportation to the country whence they came, at any time within three years after landing or entry:

Members excluded classes;

(*a*) Aliens who, at the time of entry, belonged to any of the classes of persons enumerated and defined in section 2 of the Immigration Act or in the Executive order of March 14, 1907, and who should, therefore, have been then excluded. (Secs. 20, 21.)

Public charges;

(*b*) Aliens who become public charges from causes existing prior to landing. (Sec. 20.)

Prostitutes;

(*c*) Alien women or girls who are found to be inmates of a house of prostitution or practicing prostitution. (Sec. 3.)

Those entering surreptitiously.

(*d*) Aliens who are found to have entered the United States at any other place than at the seaports thereof or at one of the ports or places designated in Rules 24 and 26 hereof, and aliens found to have entered at a seaport, but at any time or place other than as designated by the immigration officers. (Secs. 18, 38.)

Public charges from prior causes:

RULE 32. *Public charges from prior causes.*—The case of every alien found to have become a public charge from causes existing prior to landing should be reported to the immigration officer stationed nearest the place where the alien is confined. This report *must be accompanied by*—

Reporting cases of;

Medical certificate of;

(1) An unequivocal certificate (Form 534) of the *principal medical officer* of the institution of which the alien is an inmate, setting forth:

Data for verifying landing of;

(*a*) That the alien is a public charge, and giving: Date of admission to the institution; date and port of foreign embarkation; ship and line by which arrived; date and port of American debarkation; correct name; name under which manifested; age; nationality; and citizenship.

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Public charges from prior causes:

Exact condition to be shown;

(*b*) An accurate statement in plain terms of the mental or physical disability of the alien, covering any and all complications which his condition may present; also his present condition with reference to the degree of helplessness to which reduced; the probability of a cure, or the degree to which health and ability to become self-supporting may be restored; and in insanity cases, whether recurrent attacks might be expected if recovery from present onset were effected.

Statement of causes required;

(*c*) A full and complete recital of the causes to which are attributed the alien's condition as a public charge.

Origin of causes.

(*d*) Whether such causes are considered to have existed prior to or to have arisen subsequent to landing; and if believed to have existed prior to landing, stating specifically the reasons upon which belief in prior cause is based, or, in other words, the features of the case which justify such a conclusion.

Copy of history required.

(2) A *complete copy* of the clinical or general history of the case as shown by the hospital records, and including the statements of relatives and friends.

Commitment papers;

(3) In the cases of insane patients, a copy of the commitment papers containing the grounds alleged by the examining physicians as the basis for commitment.

Further certificate required if possible;

(4) Before applying for a warrant in accordance with Rule 34, the immigration officer to whom the foregoing report is made shall, whenever practicable, cause the alien to be examined by an officer of the Public Health and Marine-Hospital Service, whose certificate should accompany the application for a warrant.

Public charges:

Medical certificate concerning.

RULE 33. *Public charges, medical certificate.*—In the event that the examining medical officer is able definitely to certify that an alien was, at the time of landing in the United States, afflicted with insanity, idiocy, imbecility, feeble-mindedness, epilepsy, tuberculosis, or a loathsome or dangerous contagious disease, such a certificate will be regarded as prima facie evidence of entry in violation of section 2 of the Immigration Act, and, in the absence of satisfactory evidence to the contrary, the alien will be deported in accordance with the provisions of sections 20 and 21.

Deportation:

Application for warrant of.

RULE 34. *Deportation, application for warrant.*—Every immigration officer receiving a report in conformity with Rule 32, accompanied by a medical certificate that complies with either Rule 32 or Rule 33, shall communicate with the officer in charge at the port of entry and, if landing is verified from the official records, shall make application for warrant in the manner provided by Rule 35. Such aliens will not be removed from the institutions in which they are confined until after due hearing and after an order of deportation is issued, or unless special instructions for removal are incorporated in the warrant.

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RULE 35. *Deportation, procedure.*—In enforcing sections 20 and 21 of the act approved February 20, 1907, the following instructions regarding applications for warrants of arrest and deportation will be observed: Deportation, procedure:

(*a*) All applications for warrants must be made, if possible, upon blank form No. 565, which will be furnished upon written request to the Commissioner-General of Immigration, Department of Commerce and Labor, and which must be filled out in accordance with the printed lines contained therein, and be accompanied by the certificate of landing or entry (Form No. 564) hereinafter prescribed, or if not so accompanied the reasons for the absence of such certificate must be given, and in that case all the facts called for in the blank form of said certificate shall be set forth in the application, so far as the facts are ascertainable. Application for arrest warrant;

(*b*) A full statement must be made in every such application of the facts, supported if practicable by affidavits, which show the presence in the United States of the alien whose arrest and deportation is sought to be in violation of law. Affidavits to accompany;

(*c*) The certificate of landing in or entry into the United States must contain a complete statement in detail of all the facts disclosed as to any such alien by the manifest or list containing his name, with an attached certificate by the officer in charge of such manifest that the information given agrees in all particulars with the record of such alien in said list or manifest. Verification of landing;

(*d*) Telegraphic application for warrants should be avoided so far as possible, but, if the circumstances of any particular case make it absolutely necessary to resort to request by wire, such request must state that the foregoing regulations have been complied with, and that the form of application and certificate hereinbefore mentioned have been forwarded to the Department, and must give the substance of the statement of facts contained in the said application and certificate. In order to obviate any possible legal difficulty in the service of the telegraphic warrant, the Department will confirm the telegram by sending in the next outgoing mail a formal written warrant. The statement of facts, contained in the telegraphic application, therefore, must be sufficiently complete and specific to form the basis of the formal warrant. Telegraphic application for arrest warrant;

(*e*) If, upon the receipt of any such application and certificate or of the request by wire provided for in paragraph (*d*), either completely in conformity with these regulations or accompanied by a satisfactory explanation of inability to comply therewith, it appears to the Secretary that the alien whose arrest and deportation is sought is in the United States unlawfully and that the time within which he can be deported has not expired, a warrant for his arrest will be issued directing that he be taken before an officer or officers named therein, and there be given full opportunity to show cause, if there be any, Issuance of arrest warrant;

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Deportation, procedure:

why he should not be deported, and as soon as arrested said alien shall be apprised of his right to be represented by counsel, and he and his counsel shall have the right to inspect all the evidence upon which the Secretary has acted in directing said alien's arrest, and be given an opportunity to offer evidence and submit an argument in his behalf, and be given an opportunity to inspect and make a copy of the report of the hearing and of the findings of the officers before whom it is held. In case said alien is unable to understand or to speak the English language, an interpreter shall, if possible, be secured for the hearing, authority for payment of a reasonable compensation to be obtained by special request therefor; and in the event that the alien is physically or mentally incapable of testifying, his relatives, friends, or acquaintances shall be questioned.

Hearing under arrest warrant;

Medical certificate;

(*f*) The record of the hearing accorded an alien who is insane or has become a public charge shall be supplemented by a *written* certificate of the medical officer in charge of the institution in which the alien is confined, showing whether such alien is in condition to be deported without danger to life.

Release under bond;

(*g*) Pending decision upon the case the arrested alien shall be released from custody, provided there is furnished, as required by the proviso to section 20, a satisfactory bond running to the United States and conditioned for the production of the alien to the immigration officers for hearing or hearings and for deportation in the event of the issuance of a departmental warrant of deportation. The sureties on such bond shall be parties of ascertained financial responsibility; and in preparing the bond a blank form supplied by the Bureau of Immigration and Naturalization will be used. No alien so arrested shall be released, however, until the authority of the Department to accept bond in a specified sum is received, nor until the sureties on the bond have been found to be reliable. Before releasing the alien either one of two methods shall be observed (as may be deemed best calculated to secure an expeditious handling of the case) to have the bond approved as to form and execution: First, the bond to be forwarded to the Bureau at Washington for review by the solicitor of the Department; or, second, the bond to be submitted to the local United States attorney for such purpose. In any event the alien shall be promptly released on receipt of advice that the bond has been approved as to form and execution, and the bond shall be forwarded to the Bureau for formal acceptance by the Secretary.

Sureties on bond;

Approval of bond;

Issuance of deportation warrant;

(*h*) If, after the receipt of the report of such hearing, it shall appear to the satisfaction of the Secretary, from all the evidence, that such alien is in the United States in violation of law and that the time within which he can

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be deported has not expired, a warrant will be issued for his deportation. Deportation, procedure:

(*i*) Officers are directed to make thorough investigation of all cases where they are credibly informed, or have reason to believe, that a specified alien is in the United States in violation of law. It is not permissible for officers to resort to any form of intimidation, by threats, violence, or otherwise, in order to extort from any suspected alien or from any other person the information to be embodied in the application for the warrant of arrest. Officers are specially cautioned not to lend their aid in causing the arrest of aliens upon charges arising out of personal spite or enmity, unless the truth of such charges is clearly established. Care to be exercised in conducting investigation;

(*j*) In every case in which a warrant of deportation is issued under sections 20 and 21, the immigration official in charge at the port from which deportation is to be made shall notify the steamship line, on a vessel of which the alien is to be placed, of the intended deportation as promptly as possible after receipt of the departmental warrant and of advices from the officer under whose supervision the arrest and hearing in the case have been effected. And in all such cases care shall be exercised by all immigration officials concerned to furnish the steamship officials with full and exact information concerning the name, destination, condition of health, etc., of the alien to be deported. Notice to steamship company;

(*k*) If the conditions are such that an attendant (or matron) will be required to assist in conveying an alien from an inland point to the seaport of deportation, special request for authorization therefor should accompany the record of hearing under a warrant of arrest. Such attendants will be allowed a nominal compensation of *one dollar* and traveling expenses both ways. This rate must not be exceeded in any instance without special authorization, based upon extraordinary conditions, to be fully set forth for the guidance of the Department. Attendant to seaport.

RULE 36. *Deportation, cost of maintenance.*—The cost of maintaining aliens during the pendency of warrant proceedings under the preceding rule is a proper charge against the appropriation "Expenses of regulating immigration;" but in the cases of aliens who have become public charges from causes existing prior to landing in the United States, such cost shall not be allowed for any period preceding the date of original notification to an officer of the Immigration Service, and even then only in the event that the Department, upon investigation, orders the deportation of the alien. If proceedings against a procurer or contractor are instituted in accordance with section 3, 5, or 20 of the Immigration Act, immigration officers should report to the United States district attorney the amount of the cost of deporting the alien, in- Arrest and deportation: Expense of maintenance during proceedings, how borne; Method of obtaining reimbursement when importers are prosecuted.

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Arrest and deportation:

cluding one-half of the entire cost of removal to the port of deportation, so that a proper effort may be made to recover such expense from the procurer or importer and the reimbursement of the Government and the transportation company for their respective parts thereof.

Deportation:

RULE 37.[a] *Deportation, procedure in cases of insane or diseased aliens requiring special care and attention.*—

Procedure in cases of insane or diseased aliens;

(*a*) When deportation is to be effected, under sections 20 and 21, and the alien is disabled or mentally or physically diseased, the immigration officer charged with the investigation of the case shall obtain from the physician (if practicable a surgeon of the Public Health and Marine-Hospital Service) having personal knowledge of the condition of the alien's health a statement showing such condition in terms that will enable the Department to determine whether the alien, if deported, will require special care and attention, which statement shall accompany the report of the hearing of the case forwarded to the Department.

Aliens requiring special care and attention—

Procedure in cases of—

(*b*) If, upon considering the report of the hearing, the Department decides that the alien is deportable and issues a warrant of deportation, the physician's statement described in paragraph (*a*) hereof, taken in conjunction with such further evidence of physical or mental condition as is brought out by the hearing, will be made the basis for determining whether direction shall be given that the steamship line by which deportation is to be effected shall be called upon to submit to the Department returns covering the ocean voyage and delivery of the alien to the transoceanic port, and foreign land trip and delivery of alien at final destination, in accordance with paragraph (*c*) hereof.

Returns by vessels concerning;

Delivery of forms of returns;

(*c*) If the Department indicates in issuing its warrant of deportation that, in its opinion, the mental or physical condition of the alien is such as to require particular care and attention during the ocean voyage and foreign land trip, the commissioner or inspector in charge shall, when delivering the alien to the master or first or second officer of the steamship by which the return of the alien is to be made, place in the hands of such officer a statement of particulars (Form No. 597) and blank receipt and blank returns attached thereto lettered, respectively, "A," "B," "C," and "D"), the receipt ("B") to be immediately signed by such steamship officer and returned to the officer delivering the alien, and the blank returns ("C" and "D") to be filled out in due course by appropriate officials of the steamship line and mailed to the commissioner or inspector in charge at the port of deportation, in accordance with instructions given in the statement of particulars.

[a] For special regulations regarding arrest and deportation of prostitutes and procurers, and anarchists and criminals, see Department Circulars Nos. 156 and 163, respectively.

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Deportation: Preparation of returns;

(*d*) In preparing the statement of particulars, care will be exercised to furnish exact and full information of the character indicated by the language and blank spaces of the form. The number of the departmental warrant in cases of *deportation*, and the file number of the correspondence in cases of *return*, shall be inserted by the immigration employee charged with the duty of filling out the blanks in the appropriate space at the top of each sheet ("A," "B," "C," and "D") of the blank. Sheets "A" and "B" will be completely filled out (except signature) by such immigration employee; and sheets "C" and "D" will be left blank, except for the careful insertion of the number, it being intended that the steamship officials shall fill out such sheets. Both the original and the carbon copy of sheets "B," "C," and "D" will be delivered to the master or first or second officer of the vessel in whose charge the alien is placed; but of sheet "A" only the original will be so delivered, the carbon copy being retained in the records of the immigration station.

Mailing of returns;

(*e*) The commissioner of immigration or inspector in charge by whom the statements of particulars are delivered to steamship masters shall see that in due course the returns, properly and completely filled out, are mailed to him. Any failure on the part of steamship companies so to do, as well as any circumstance, or anything contained in the returns, indicating failure upon the part of the officials of a vessel to accord proper care and attention to a deported alien and to deliver him into proper custody at his final destination, shall be reported to the Department fully and in detail.

To be to transoceanic port;

RULE 38. *Deportation, where to.*—The deportation of aliens as prescribed in Rules 30 to 36 hereof shall be to the foreign trans-Atlantic or trans-Pacific port from which such aliens embarked for the United States; or, if such embarkation was for foreign contiguous territory, to the foreign port at which they embarked for such contiguous territory. (Sec. 35.)

Of public charges from subsequently arising causes;

RULE 39. *Deportation by consent.*—Any alien who has been lawfully landed, but who has become a public charge from subsequently arising physical inability to earn a living, may, by consent of the alien and with the approval of the Bureau of Immigration and Naturalization, be deported within one year from date of landing at the expense of the immigrant fund: *Provided*, That such alien is delivered to the immigration officers at a designated port free of charge; and the charges incurred for the care and treatment of any such alien in any public or charitable institution from the date of notification to an officer of the Bureau until the expiration of one year after landing may be paid from the immigrant fund at fixed rates agreed upon.

Expense, how borne.

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RULES RELATING TO TRANSIT.

Transits:
To be examined;

RULE 40. *Aliens in transit.*—Every alien seeking a landing for the purpose of proceeding directly through the United States to a foreign country shall be examined, and, if found to be a member of any one of the excluded classes, shall be refused permission to land, in the same manner as though he intended to remain in the United States. Cases where a refusal of the privilege would entail exceptional hardship may be reported to the Secretary for a special ruling.

Cases exceptional hardship to be reported.

Head tax must be deposited on account of;

RULE 41. *Aliens in transit, head tax for.*—(*a*) No alien desiring admission at a port of the United States for the professed purpose of proceeding directly therefrom to foreign territory shall be permitted to land thereat except after deposit with the collector of customs at said port, by the master or owner of the vessel or by a representative of any other mode of transportation by which such alien is brought, of the amount of the head tax (four dollars) prescribed by section 1 of the Immigration Act, said amount to be refunded upon proof satisfactory to the immigration officer in charge at the port of arrival that said alien has passed by direct and continuous journey through and out of the United States within thirty days from the date of admission, proof of such departure to be furnished within sixty days from the date of admission. Special deposits of head tax on account of aliens in transit will, at the expiration of sixty days from the date of admission, be covered into the Treasury as head tax, the cases in which proof of departure is received after the expiration of such period to be reported to the Bureau of Immigration and Naturalization for special authorization, under the provision incorporated in the legislative, executive, and judicial appropriation act approved February 3, 1905.

Head tax to be refunded on proof of departure;

Head tax to be covered into Treasury at expiration of 60 days;

How then refundable;

Special system of collecting and refunding head tax on transits from Canadian territory;

(*b*) All aliens of the taxable class desiring to proceed in transit through the United States from the Dominion of Canada shall be required to furnish to the examining officer or officers guaranty of payment of head tax described in paragraph (*k*) of Rule 25 of these regulations. If admissible, aliens claiming to be in transit will be given certificate Form 523, providing for refund of head tax upon such certificate being properly indorsed by the alien and by the purser of the outgoing trans-Atlantic or trans-Pacific steamship upon which the holder of said certificate may depart from the United States; or, if the alien be passing in transit through the United States from one point in Canada to another point in Canada, then such indorsement to be made by the conductor of the train upon which the holder of the certificate departs from the United States.

On those arriving at Canadian seaports;

(*c*) Refund of head tax will be made on aliens of the taxable class, arriving at Atlantic or Pacific ports of

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Transits:

Canada and desiring to proceed immediately in transit through the United States, to the transportation line responsible for payment of head tax on such aliens, upon proof satisfactory to the United States commissioner of immigration for Canada that said aliens have passed by direct and continuous journey through and out of the United States within the time limit specified in this rule.

Entering and leaving at same port — refund of head tax on account of;

(*d*) Even though an alien, being a "transit passenger," enters and leaves the United States at the same port the provisions of this rule shall be applied to his case to the same extent, and in the same manner so far as necessary, as though such alien entered at one port and departed through another. In the cases of those entering across the Canadian border as transient visitors, however, Form No. 569 will be used instead of Form No. 523, under the procedure laid down in paragraph (*b*) hereof.

Entering as tourists — different practice applying to;

(*e*) A class of "transit passengers" which requires somewhat different treatment in practice than "transits" as ordinarily understood and "transient visitors," whose cases are covered by the preceding paragraphs hereof, consists of aliens visiting the United States as tourists, on pleasure or business. With regard to such class, no payment or deposit of head tax need be required, if the immigration officers at the port of entry are satisfied that it is the *bona fide* intent of the passenger merely to visit or tour the United States. For instance, when an alien is in possession of first-class round trip or through transportation, or other circumstances are present, indicating with reasonable certainty that the passenger is a tourist, deposit should not be required; if doubt exists, he should be classed as a "transit" or "transient visitor."

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MISCELLANEOUS RULES.

Cattlemen: Admission of;

RULE 42. *Cattlemen.*—It is ordered that all cattlemen returning to ports within the United States holding certificates duly signed by a commissioner of immigration or an immigrant inspector shall be entitled, upon identification, to admission into the United States without further examination by the immigration officers, to whom said certificate must be presented and surrendered, which certificate must be as follows:

Form of certificate for.

FORM 567.

[Stub.]

No.....
Port of.....
Date....., 19...
Name.....
Age.....
Native of.....
Employed by.....
Of.....
A cattleman sailing on the steamship.....
Surrendered at the port of.....
....., 19...
Height.....
Weight.....
Color of hair.....
Color of eyes.....
General remarks.....
.....
.....
Signature of cattleman:
.....

Cattlemen's certificate of admission.

DEPARTMENT OF COMMERCE AND LABOR,
IMMIGRATION SERVICE.

No..... PORT OF.....,
....., 19...

This is to certify that.....a native of.....age....., who is duly accredited an employee of..... sailing on the steamship....., 19..., is a cattleman from the port of.....United States of America.

The holder of this certificate will be permitted to enter the United States as a returning cattleman on presentation of this certificate and proper identification by the immigration inspector.

Height.....
Weight.....
Color of hair.....
Color of eyes.....
General remarks.....
.....
.....
Commissioner of Immigration.

NOTE.—This certificate must be furnished by the commissioner of immigration, or immigrant inspector, to the steamship company at the port of departure. The certificate will be filled in by the United States officer and delivered to the captain of the vessel upon which the cattleman sails, who in turn will deliver the paper to the person in whose name it is issued, at the foreign port of destination, to enable the cattleman to return. Any alteration or erasure of this certificate renders it void, and if it is presented by any person other than its rightful owner it will be taken up and the holder subjected to the inspection required by law.

Immigration officials: Administration of oaths by.

RULE 43. *Administration of oaths.*—The authority to administer oaths conferred upon immigration officials by section 24 of the Immigration Act is limited to matters "touching the right of any alien to enter the United States." When, therefore, such officials are detailed to investigate frauds or attempts to defraud the Government, or any irregularity or misconduct of any officer or

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agent of the United States, section 183 of the Revised Statutes should be relied upon for authority to administer oaths to witnesses. Immigration officials:

RULE 44. *Posting of immigration acts.*—The certificate required by section 8 of the act of Congress approved March 3, 1893, that copies of the immigration acts have been duly posted, shall be filed with the Secretary of Commerce and Labor upon the first days of January and July of each year. Posting laws: Filing certificate of.

RULE 45. *Official communications.*—Officers employed in the administration of the immigration and Chinese-exclusion laws are notified that all communications to the Department upon official matters must be addressed to the Commissioner-General of Immigration or to the Secretary of Commerce and Labor through official channels. Official communications: To be sent through official channels.

RULE 46. *Telegraphing.*—With the object of reducing the expense of telegraphing in connection with the official business of the Immigration Service, the telegraphic code provided by the Bureau of Immigration and Naturalization will be employed to the fullest extent possible. Telegraphing: Code for.

RULE 47. *Uniforms.*—It is hereby ordered that inspection officers and employees of the Immigration Service stationed at ports or places of entry into the United States *and elsewhere* shall, while on duty, *unless otherwise specially directed in writing*, wear uniforms designated by the Bureau of Immigration and Naturalization, said uniforms to be purchased by the said inspectors and employees. Uniforms: Officers required to wear;

(*a*) UNIFORM SUITS: Uniform suits will be made of dark blue cloth. The following are the prescribed styles: Particulars concerning— Suits;

Suits for inspectors and assistant inspectors—Coats.—Double-breasted sack, four buttons on each side, ends cut square. Two lower outside pockets, one on upper left side and small ticket pocket on right side. All outside pockets to have flaps, except upper left-hand pocket. Two inside pockets. All pockets to be of liberal size.

Vests.—Single-breasted, six buttons, collar. Four pockets without flaps. Bone buttons.

Trousers.—Plain, with side pockets, two hip pockets, and watch pocket. No stripe. Band back and front on inside at bottom.

Suits for all other officials.—Same as above, except that coat shall be single-breasted instead of double-breasted.

(*b*) BUTTONS: The bone buttons upon suits will be of a special pattern designed to fit brass button shells (detachable) which must be affixed and worn in all cases while on duty. Button shells will be forwarded without cost upon application to the Bureau. Buttons;

(*c*) CAPS: Contract has been made for uniform caps, which must be paid for by the employees, the cost per cap being two dollars. If money order for this sum is for- Caps;

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Uniforms: Particulars concerning—

warded to the Bureau, through official channels, full name and title of employee and size of cap wanted being stated, the same will be ordered sent direct to purchaser, express charges collect. The winter cap is made of blue cloth and the summer cap of black silk. *Unless otherwise specified*, BLUE CLOTH cap will be furnished.

Cap insignia;

(*d*) CAP INSIGNIA: Caps will be provided with appropriate insignia and lettering without charge to employees, but orders must be placed through the Bureau in every instance.

Collar insignia;

(*e*) COLLAR INSIGNIA: Inspectors in charge of stations, or of the various divisions at the principal ports of entry, will be designated by an appropriate legend worn on both sides of the front of the coat collar. These legends will be worked in gold letters upon blue cloth, and may be obtained free of cost upon application to the Bureau. The cloth strips will be attached to coat collars with hooks and eyes, so that they may readily be removed.

Service insignia;

(*f*) SERVICE INSIGNIA: Immigrant and Chinese inspectors one year in the service may be designated by a strip of gold braid upon the top of the cuff of the left coat sleeve 2 inches from the bottom of the sleeve and extending halfway around it. An additional strip may be added one-four inch higher than its predecessor for each year's completed service up to five years, when a small gold star may be worn in lieu of the braid, which should then be removed. For each year from five to nine, inclusive, a strip of gold braid may be added. Ten years' continuous service may be indicated by two stars, and so on. The equipments needed to comply with this requirement can be secured without charge upon application to the Bureau, the full name and exact service of the employee being stated. Insignia is issued to inspectors only. The length of service is reckoned from the date of original appointment as inspector, and must not include prior service in other capacities. In making request for insignia, give date of original appointment as inspector, or if at present wearing insignia, describe same and give date on which the last prior addition thereto was received from the Bureau.

Seasons;

(*g*) SEASONS: The time of changing from one weight of uniform to another will be governed by the change of seasons at the various stations of employees. Officers stationed in Hawaii and Porto Rico may wear white duck uniforms and caps, insignia for the latter to be procured free of cost upon application to the Bureau.

Light-weight uniforms;

(*h*) LIGHT-WEIGHT UNIFORMS: Officers and employees stationed at places where the climate is too warm to admit of comfort in wearing the regular summer uniform may have their uniforms made of light material suited to the locality, subject to the stipulation that the color and style

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shall conform to the requirements of paragraph (*a*) hereof. The special buttons required to fit brass shells may be procured from the Bureau. Uniforms: Particulars concerning—

(*i*) INSPECTIONS: Commissioners of immigration and inspectors in charge will make reports to the Bureau on the first days of January and July regarding the condition of each part of the uniform of every employee under their respective jurisdictions, each portion of every uniform being graded as excellent, good, fair, or bad, as the case may be. Form 596 will be used in making these reports, and if any reports showing the condition to be "bad" is made, the steps that have been taken to correct this condition should be noted. Inspections;

(*j*) NEW APPOINTEES: Officers having charge of immigration stations, districts, or ports will require employees newly appointed and ordered to report to them for duty to provide themselves with standard uniforms within thirty days from the date of assignment to duty, and will see that the *full uniform* is worn by all employees, as herein provided. New appointees.

RULE 48. For convenience in enforcing both the immigration and the Chinese-exclusion laws, the territory within which immigration officials are located is divided into districts, under the jurisdiction of commissioners of immigration or inspectors in charge, numbered, defined, and with headquarters fixed, as follows: Districts: Number; Offical in charge; Headquarters; Extent.

Dist. No.	Title of officer.	Location of headquarters.	Extent of districts.
1	Commissioner of immigration.	Montreal, P. Q., Canada.	Canadian border and Canadian seaports.
2	Commissioner of immigration.	Boston, Mass.....	New England States, including port of Boston and subports of Portland and New Bedford.
3	Commissioner of immigration.	Ellis Island, New York Harbor.	New York and New Jersey; immigration matters *only*.
	Chinese inspector in charge.	17 State street, New York, N. Y.	New York and New Jersey; Chinese matters *only*.
4	Commissioner of immigration.	Philadelphia, Pa..	Pennsylvania, Delaware, and West Virginia; port of Philadelphia and substations of Pittsburg, Chester, and Wilmington.
5	Commissioner of immigration.	Baltimore, Md....	Maryland and District of Columbia; port of Baltimore and subports of Annapolis and Washington.
6	Inspector in charge....	Norfolk, Va.....	Virginia, North Carolina, and South Carolina; port of Norfolk and subports of Newport News, Wilmington, and Charleston.
7	Inspector in charge....	Tampa, Fla.....	Georgia, Florida, and Alabama; port of Tampa and subports of Savannah, Brunswick, Jacksonville, Miami, Key West, Pensacola, and Mobile.
8	Commissioner of immigration.	New Orleans, La..	Louisiana, Mississippi, Arkansas, and Tennessee; port of New Orleans and subports of Gulfport and Pascagoula.
9	Inspector in charge....	Galveston, Tex...	Port of Galveston and subports of Port Arthur and Corpus Christi; immigration matters *only*.
10	Inspector in charge....	Cleveland, Ohio...	Ohio and Kentucky; substations at Toledo and Columbus.
11	Inspector in charge....	Chicago, Ill.....	Illinois, Indiana, Michigan, and Wisconsin.

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Districts:

Dist. No.	Title of officer.	Location of headquarters.	Extent of districts.
12	Inspector in charge....	Minneapolis, Minn	Minnesota and North and South Dakota.
13	Inspector in charge....	St. Louis, Mo.....	Missouri, Iowa, Nebraska, Kansas, and Oklahoma.
14	Inspector in charge....	Denver, Colo.....	Colorado, Wyoming, and Utah; substation at Salt Lake City.
15	Inspector in charge....	Helena, Mont.....	Montana and Idaho; substation at Havre, Mont.
16	Commissioner of immigration.	Seattle, Wash.....	Washington; port of Seattle and subports of Tacoma, Port Townsend, and Olympia; substations of Spokane and Walla Walla.
17	Inspector in charge....	Portland, Oreg....	Oregon; port of Portland and subport of Astoria.
18	Commissioner of immigration.	San Francisco, Cal.	Northern California and Nevada; port of San Francisco.
19	Inspector in charge....	San Diego, Cal....	Southern California; port of San Diego and substations of Los Angeles and Yuma.
20	Inspector in charge....	Ketchikan, Alaska	Alaska; port of Ketchikan and substations of Skagway and Nome.
21	Commissioner of immigration.	San Juan, P. R...	Porto Rico; port of San Juan and subport of Ponce.
22	Inspector in charge....	Honolulu, Hawaii.	Territory of Hawaii, including all ports.
23	Supervising inspector.	El Paso, Tex.....	Texas, New Mexico, and Arizona; port of El Paso, subports of Nogales, Douglas, Naco, Del Rio, Eagle Pass, Laredo, Hidalgo, and Brownsville; substations of San Antonio, Tucson, and Fort Worth. Also Chinese matters at Galveston and subports.

STATISTICAL RULES.

Manifests required by law:

All passengers incoming;

RULE I. (*a*) The passenger act, approved August 2, 1882 (22 Stat., 186), and the act amendatory thereof, approved February 9, 1905 (33 Stat., pt. 1, p. 711), require that masters of vessels shall deliver to collectors of customs at United States ports lists or manifests of *all passengers* arriving from foreign ports.

Aliens incoming;

Aliens outgoing;

Aliens from insular possessions;

(*b*) By section 12 of the Immigration Act, approved February 20, 1907, masters of vessels are required to deliver manifests of aliens arriving in the United States to immigration officers in charge at port of arrival, and manifests of aliens departing from the United States to collector of customs at port of departure. The said act also requires that manifests of aliens sailing from the Philippine Islands, Guam, Porto Rico, and Hawaii for any port of the United States on the North American Continent shall be delivered to the immigration officers at such continental port of arrival.

Blanks for, furnished by Department.

(*c*) Blank forms for use in the preparation of manifests are furnished by the Department, the numbers employed for the above-mentioned purposes, respectively, being: For all passengers incoming, Form 1440; for aliens incoming, Forms 500, 500–A, and 500–B; for aliens outgoing, Forms 628, 628–A, and 628–B; and for aliens from insular possessions, Form 629.

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General inward passenger movement:

RULE II. (*a*) Collectors of customs shall prepare from the passenger lists (Form 1440) which are in their custody a monthly statement showing, by sex, the total number of United States citizens and total number of passengers arriving each month, and deliver such statement to the immigration officer in charge at the port of entry.

Duties of collectors concerning;

(*b*) Collectors should exercise such supervision over the preparation of passenger lists as lies within their power, and should provide facilities for the examination of said lists by immigration officers with a view to prevent or to correct errors therein.

Duties of immigration officers concerning.

RULE III. (*a*) Immigration officers are directed to prepare from statements furnished by collectors and from data taken from inward alien manifests (Forms 500, 500–A, and 500–B) monthly reports on Form 619, showing (1) total number of immigrant aliens admitted, by sex; (2) total number of nonimmigrant aliens admitted, by sex; (3) total number of United States citizens arrived, by sex; (4) total number aliens debarred, by sex.

(*b*) In preparing this information from two sources, one of which is not checked by any Government officer, immigration officials should be watchful for inconsistencies, especially with regard to the data taken from passenger lists, and, when necessary, should examine those lists with a view to avoid or to correct errors.

Alien inward passenger movement:

Data to be compiled from manifests covering—

RULE IV. From the manifests of inward-bound alien passengers (Forms 500, 500–A, and 500–B) shall be compiled the following data: Whether immigrant or nonimmigrant alien; age; sex; calling or occupation; whether able to read and whether able to write; race or people; country of last permanent residence; destination (future permanent residence); amount of money; whether ever before in the United States; by whom passage was paid; whether going to join relative or friend, and if so, whom; whether admitted or debarred; if debarred, cause therefor.

Manner of reporting;

RULE V. The above information shall be transferred to monthly statistical reports, that for immigrant aliens admitted to Form 601–606 and 619, inclusive, and that for nonimmigrant aliens admitted to Form 619, 620, and 651–656, inclusive.

Revision of manifests covering—

Officers to inform themselves of duties respecting;

RULE VI. Inspectors and other employees should familiarize themselves with the character of data required for statistical purposes, as herein set forth, in order that the different items of information may be properly checked and revised on the inward alien manifests (Forms 500, 500–A, and 500–B) during the personal examination of aliens, whether they arrive in the first or second cabin or steerage. After the revision the entries upon manifests should be sufficiently complete to enable statisticians to compile intelligently and accurately therefrom the statistical data required.

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Alien inward passenger movement:

Meaning of terms employed in manifests and statistics of and instructions regarding—

"Immigrant aliens;"

"Nonimmigrant aliens;"

RULE VII. Arriving aliens whose permanent residence has been outside of the United States, and who intend to reside permanently in the United States, are classed as immigrant aliens. This includes residents and citizens of foreign contiguous territory. Immigrant aliens admitted will be reported in statistics on Form 601–606 and 619.

RULE VIII. Alien residents returning from a temporary trip abroad, and aliens residing abroad, coming to the United States for a temporary trip, shall be classed as nonimmigrant aliens (except as provided by Rule IX). Inspection officers engaged in revising manifests are directed to see that all nonimmigrant aliens are distinctly indicated as such on manifests. Nonimmigrant aliens admitted should be reported on statistical Forms 619, 620, and 651–656.

One-year residents of foreign contiguous territory;

RULE IX. Aliens who have resided in foreign contiguous territory for one year or more and who are coming to the United States only for temporary sojourn therein should not be reported as nonimmigrant aliens and should not be recorded in any immigration report. Aliens who have resided in foreign contiguous territory less than one year, who come for temporary sojourn, should be recorded as nonimmigrant aliens.

"Calling or occupation;"

RULE X. (*a*) Occupations should be described as definitely as possible in manifests, as, for example, civil engineer, mining engineer, locomotive engineer, stationary engineer, brass polisher, steel polisher, iron molder, wood turner, etc., and not simply as engineer, polisher, molder, turner, or other indefinite designation.

Divisions of;

(*b*) The various occupations are classified in statistical reports under three general heads, namely, "Professional," "Skilled," and "Miscellaneous." Dependent women and children and other aliens without occupation should be classified as "No occupation." Occupations not listed in said reports should be recorded by statisticians as "Other professional," "Other skilled," or "Other miscellaneous." In determining to which of these three classes aliens belong, the following instructions should govern:

Professional occupations;

(*c*) *Professional.*—Occupations which properly involve a liberal education, or its equivalent, and mental rather than manual labor, should be classed as "Professional."

Skilled occupations;

(*d*) *Skilled.*—Occupations which properly involve special training and manual dexterity, as the learning of a trade, should be classed as "Skilled."

Miscellaneous occupations;

(*e*) *Miscellaneous.*—Occupations other than professional and skilled should be classed as "Miscellaneous."

Farmers and farm laborers;

(*f*) A distinction should be made between farmers and farm laborers. A farmer is one who operates a farm, either for himself or others. A farm laborer is one who works on a farm for the man who operates it. Steamship companies should make this distinction on manifests, and corrections should be made, if necessary, by inspection officers during the examination of aliens.

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Alien inward passenger movement:

Meaning of terms employed, etc.—

"Race or people;"

RULE XI. (*a*) "Race or people" should be determined by the stock from which aliens sprang and the language they speak. Special attention should be paid to showing this information independently either of country as representing nationality or country as representing last permanent residence, and with respect to these points manifests should be carefully revised by inspection officers. For the convenience of steamship companies and inspection officers, a list of races is shown on the back of manifests. Certain distinctions with regard to race or people are pointed out, as follows:

Distinctions regarding;

"Cuban;"

(*b*) *Cuban.*—The term "Cuban" refers to the Cuban people (not Negroes).

"West Indian;"

(*c*) *West Indian.*—"West Indian" refers to the people of the West Indies other than Cuba (not Negroes).

"Spanish-American;"

(*d*) *Spanish-American.*—"Spanish-American" refers to the people of Central and South America of Spanish descent.

"African (black);"

(*e*) *African* (*black*).—"African (black)" refers to the African Negro, whether coming from Cuba or other islands of the West Indies, North or South America, Europe, or Africa. All aliens whose appearance indicates an admixture of negro blood should be classified under this heading.

"Italian (North);"

(*f*) *Italian* (*North*).—The people who are native to the basin of the River Po in northern Italy (i. e., Compartments of Piedmont, Lombardy, Venetia, and Emilia), and their descendants, whether residing in Italy, Switzerland, Austria-Hungary, or any other country, should be classed as "Italian (North)." Most of these people speak a Gallic dialect of the Italian language.

"Italian (South);"

(*g*) *Italian* (*South*).—The people who are native to that portion of Italy south of the basin of the River Po (i. e., Compartments of Liguria, Tuscany, the Marches, Umbria, Rome, the Abruzzi and Molise, Campania, Apulia, Basilicata, Calabria, Sicily, and Sardinia), and their descendants, should be classed as "Italian (South)."

"Country of last permanent residence;"

RULE XII. An intended residence of twelve months, whether past or future, shall constitute "permanent residence." The last country in which alien resided with the intention of remaining as long as twelve months shall be the "last permanent residence" regardless of the length of actual residence therein. The last permanent residence should be entered in column 10 of Manifest. Intended future permanent residence should be entered in column 12 as representing "final destination." Name of the State and city should be given if within the United States; name of country if outside of the United States.

"Amount of money brought;"

RULE XIII. (*a*) Money brought by the head of a family should not be divided among the several members thereof.

(*b*) On Form 602 under the head of "Aliens bringing less than $50" should be recorded only aliens with money, but less than $50.

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Alien inward passenger movement:

Meaning of terms employed, etc.—"Admitted and debarred;"

RULE XIV. (*a*) Aliens should be reported as admitted or debarred in the month in which final action is taken, regardless of the date of arrival of the ship bringing them. Aliens debarred should not be reported as debarred until placed on shipboard for deportation, and then should be recorded in the monthly statistics only on Forms 602–A and 619. The number of immigrant and nonimmigrant aliens actually admitted and the number of aliens debarred, as reported in the monthly statistical reports, should correspond with the numbers entered on lines 1, 2, and 3 of the monthly agreement statement (Form 519). The total of quarter-monthly reports of aliens debarred should correspond with the number so recorded on Forms 602–A, 619, and 519.

Debarred residents of foreign contiguous territory;

(*b*) Aliens applying for admission from foreign contiguous territory who have resided therein less than one year, and those who have resided therein for one year or more who apply for admission with the intention of permanent residence in the United States, if debarred, shall be reported on Forms 602–A, 619, and 519. Aliens from foreign contiguous territory who have resided therein more than one year and who apply for admission only for temporary sojourn in the United States if debarred should be reported only on Form 580.

Monthly statistical reports on, and method of preparation—

RULE XV. (*a*) The work of compiling statistical information at each port should be kept closely up to date, and the statistical reports on Forms 601–606, 619, 620, and 651–656, should be forwarded to the Bureau at the earliest possible moment after the close of each month, accompanied by the statement of agreement on Form 519, and reports of appeals. To assist in accomplishing this end the following instructions should be observed by the larger ports:

Instructions re, for larger ports;

Use of tally and transfer sheets of;

(*b*) Blank tally and transfer sheets, to which statistical information is transferred from the original manifests, are furnished for use at the larger ports. The various items of statistical information for a convenient number of aliens should be transferred to the tally sheets (Forms 611 and 612), which should be added and balanced to prove their accuracy and then entered on transfer sheets (Forms 613–618). The transfer sheets should carry the record for an entire month, and when added and balanced at the close thereof the data should be recorded in the monthly statistical reports.

Disposition and method of recording on manifests;

(*c*) Manifests should form a permanent record of the disposition of all arriving aliens. On primary inspection all aliens admitted and all aliens detained should be so designated on manifests. Day by day, as final disposition is made of those detained on primary inspection, record thereof should be made opposite the names on the manifests, and also on the cards mentioned in the following paragraph in cases where statistical data regarding

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the aliens have been entered on such cards. Debarred aliens should be considered as detained (pending) until actually placed on shipboard for deportation.

Alien inward passenger movement:

Monthly statistical reports, etc.—

Debarred aliens to be regarded as "pending" until deported;

Use of "Statistical data for detained alien" cards, in preparing;

(*d*) Thus, at the time the statistical information is tallied from the manifests such manifests will show which aliens, up to date the tally is made, have been actually admitted, which finally debarred, and which are still detained (pending). The statistical data with regard to those shown on manifests as actually admitted, and debarred, at the time the tally is made should be regularly transferred to tally sheets; for aliens still detained (pending), however, the data should not then be transferred to tally sheets, but to cards (Form 600) entitled "Statistical data for detained alien."

Disposition entered thereon;

(*e*) When the admissibility of the aliens recorded on these cards is finally determined, the disposition and date of disposition should be entered on the card (and also on the manifest), and the statistical data regarding such aliens should then be transferred direct from the cards to the tally sheets, avoiding the necessity of going through the manifests a second time for statistical data regarding aliens whose admissibility was undetermined when the first tally was made.

Data to be transferred from cards to tally sheets;

Closing of month's business;

(*f*) The tallying for the month should be completed on the day following the close thereof. Statistical information with regard to aliens still detained at the close of the month (and therefore not included in the month's statistics) should by this plan be entered on cards, which will offer a convenient means of separating aliens pending at close of month.

Reports concerning, and method of preparation—

Daily of arriving, quarter-monthly of debarred and returned, and weekly of detained aliens;

What aliens not included in;

Included in;

RULE XVI. (*a*) Daily reports of alien arrivals, quarter-monthly reports of aliens debarred and returned, and weekly reports of aliens detained should be regularly forwarded to the Bureau of Immigration and Naturalization after the close of the periods to which they relate. Aliens who refuse to pay head tax and stowaways are not considered to be applicants for admission and are not recorded in said reports. Aliens who have resided continuously in Canada, Newfoundland, or Mexico for one year or more next preceding application for admission to the United States (unless coming for permanent residence in the United States), and arrivals in continental United States from insular possessions, are not accounted for in immigration statistics. They should not, therefore, be included in these reports. All other arriving aliens, including those who have resided in Canada, Newfoundland, or Mexico for one year or more who are coming for permanent residence, all aliens who have resided in Canada, Newfoundland, or Mexico less than one year, citizens of Cuba, alien Chinese, and deserting alien seamen, whether or not apprehended, should be included in these reports.

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Alien inward passenger movement:

Reports concerning, and method of preparation—

Particulars regarding daily reports;

(*b*) In daily reports, entries on each line under the head of "Total alien arrivals" should represent the total of entries under the heads of first and second cabins, steerage, and deserting alien seamen. Each column should also be totaled at the bottom. The total number reported in the daily reports during the month should be shown on line 18 of the monthly agreement statement.

Particulars regarding quarter-monthly reports;

(*c*) In preparing quarter-monthly reports of debarred aliens, while it is expected that all required information will be carefully recorded therein, especial care should be exercised to accurately record the foreign port of embarkation, steamship line, and cause of deportation. Under the latter heading names of diseases should be shown in cases of aliens deported because of disease. The total recorded on these reports each month should agree with the number reported in Forms 602–A and 619, and the number recorded on line 3 of the monthly agreement statement.

Statutory reasons for debarment to be given;

(*d*) As no alien can be debarred from the United States except for a statutory reason, no other reason for exclusion should be given in statistical reports. A list of causes of exclusion is given on Form 602–A.

Monthly reports of appeals and bond cases;

RULE XVII. The monthly reports of appeals and applications for admission under bond to the Department should show the number of persons whose admission or rejection depends upon the decision of the Department. Appeals and applications under the immigration laws should be reported on Form 547; appeals under the laws governing the admission of Chinese on Form 428. Appeals for all classes of aliens, including all residents of Canada, Newfoundland, or Mexico, should be included in these reports.

Statement of agreement.

RULE XVIII. The statement on Form 519 should show an agreement between aliens accounted for in the monthly statistics, arrivals reported in daily reports, and the amount of head tax collected, and should be forwarded to the Bureau accompanied by the monthly statistical reports and reports of appeals. The entries on lines 1, 2, and 3 of the agreement statement should correspond, respectively, with the totals shown in the statistical reports of "Immigrant aliens admitted," "Nonimmigrant aliens admitted," and "Aliens debarred." The total number reported in the daily reports during the month should agree with the entry on line 18, and the total number on account of whom head tax is collected should correspond with the entry on line 38. Instructions accompanying the statement of agreement give detailed information with regard to its preparation.

Special instructions regarding exceptional cases—

Residents of British North America and Mexico.

RULE XIX. Aliens who have resided in Canada, Newfoundland, or Mexico continuously for one year or more next preceding application for admission to the United States are exempt from head tax. If such aliens come to the United States for permanent residence, they should

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be manifested and included in statistics as immigrant aliens and should be included in other immigration reports. If they come only for temporary sojourn, they should not be manifested (but a record should be made of their admission for possible future use, if verification of entry should be required) and should not be recorded as nonimmigrant aliens, and should not be included in statistics nor in other immigration reports, unless debarred, in which case they should be reported only on Form 580, report of aliens refused admission from foreign contiguous territory. Aliens who have resided in Canada, Newfoundland, or Mexico less than one year and all residents and citizens of Canada, Newfoundland, or Mexico coming from countries other than Canada, Newfoundland, or Mexico are manifested, and are included in statistics the same as other aliens who come from countries other than Canada, Newfoundland, Mexico, or Cuba.

Alien inward passenger movement: *Exceptional cases—*

RULE XX. Aliens who have resided in Cuba for one year or more next preceding departure for the United States are exempt from head tax, but all aliens from Cuba should be regularly manifested, examined as to their admissibility, and included in statistics and other immigration reports.

Residents of Cuba;

RULE XXI. Citizens of Porto Rico, the Philippine Islands, Guam, and the Hawaiian Islands are exempt from the provisions of the immigration laws, and should not be examined thereunder or reported in immigration statistics or other immigration reports. Alien Chinese from island possessions, however, are subject to the laws governing the admission of Chinese. (See sec. 1, act of April 29, 1902, 32 Stat., part 1, p. 176.) All aliens from such possessions should be manifested on Form 629.

Citizens of and aliens from insular possessions;

RULE XXII. Aliens arriving in this country en route to any of the island possessions of the United States are to be examined under the immigration laws as to their right of entry, are subjects for head tax if belonging to the taxable class, and are to be included in immigration statistics and other immigration reports in the same manner as if their destination were within continental United States.

Arriving aliens en route to insular possessions;

RULE XXIII. Whether or not apprehended, deserting alien seamen should be reported in daily reports of arrivals. Head tax should be collected, if they belong to the taxable class, and held as special deposit. Upon proof being presented, however, by masters of vessels within three months after date of desertion that alien has departed from the United States, said head tax may be refunded. If at the expiration of three months proof of departure has not been received, deposit will be regularly paid into head tax account. Deserting alien seamen should not be reported in the immigration statistics unless apprehended, and then only in the absence of an intention to reship. The total number of deserting alien seamen included in each month's daily reports should

Deserting alien seamen;

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Alien inward passenger movement:

correspond with the entry on line 6 of the monthly agreement statement. The number apprehended and included in the statistics should correspond with the entry on line 15 of the said agreement statement.

Exceptional cases—

Stowaways;

RULE XXIV. Stowaways are not regarded as aliens applying for admission to the United States and they should not be included in immigration statistics. The number of such cases each month should, however, be reported on line 40 of agreement statement (Form 519).

Aliens who refuse to pay head tax;

RULE XXV. Aliens applying for admission who refuse to pay head tax should not be considered as applicants for admission, and should not be reported in any immigration report. The number of such cases should, however, be reported on line 41 of agreement statement (Form 519).

Aliens who die or escape;

RULE XXVI. If aliens who have been included in daily reports of arrivals die or escape before admission or deportation, they should not be included in statistical reports, but should be accounted for on lines 9 and 10 of agreement statement. If such escaped aliens are afterwards apprehended, they should be regularly entered in the monthly statistical reports and again accounted for on line 16 of agreement statement.

Chinese subject to immigration laws and regulations;

RULE XXVII. Chinese should be listed in the regular inward alien manifests (Forms 500, 500–A, and 500–B) and examined under the immigration laws, in addition to being listed in Chinese manifests (Form 418), examined, and reported in the quarter-monthly reports, under the Chinese regulations. Alien Chinese are subjects for head tax, and should be reported in regular immigration statistics and other immigration reports. Chinese admitted as aliens under the laws governing the admission of Chinese shall be classed under the immigration laws as aliens, and those admitted as United States citizens shall be so considered under the immigration laws.

General outward passenger movement.

RULE XXVIII. At the close of each quarter year the collector of customs at each port will forward to the Bureau of Immigration and Naturalization a statement on Form 1171 of all passengers departed for foreign countries from his port.

Alien outward passenger movement:

RULE XXIX. Manifests of outward-bound aliens (on Forms 628, 628–A, and 628–B) shall be delivered to collectors of customs within sixty days after the departure of a vessel from a United States port. The collector of customs shall deliver the said manifests to the officer in charge of immigration matters at his port; and the said immigration officer shall cause to be prepared from said manifests monthly statistical reports of departing aliens, using Forms 621–627 and 631–636, inclusive.

Delivery of manifests covering;

Classifying emigrant and nonemigrant aliens;

RULE XXX. Departing aliens shall be divided into the two classes—emigrant and nonemigrant aliens. Those whose permanent residence has been in the United States, who intend to reside permanently outside, shall be classed

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as "emigrant aliens." Alien residents leaving the United States with the intention of remaining abroad but temporarily and alien nonresidents leaving after a temporary sojourn in the United States shall be classed as "nonemigrant aliens." Alien outward passenger movement:

RULE XXXI. Emigrant aliens departing shall be recorded in monthly statistical reports on Forms 621–626, inclusive, and nonemigrant aliens departing in monthly statistical reports on Forms 631–636, inclusive, to show sex, age, place of last residence, length of residence in the United States, country of intended future residence, race or people, and occupation. Items to be recorded in statistics concerning.

RULE XXXII. (*a*) Section 1 of the act of Congress approved June 29, 1906, entitled "An act to establish a Bureau of Immigration and Naturalization, and to provide for a uniform rule for the naturalization of aliens throughout the United States" (34 Stat., pt. 1, p. 596), provides that there shall be maintained at the various immigration stations "books of record" containing certain specified information as to every alien admitted. Record books and card indexes required by naturalization law:

(*b*) It is hereby ordered that the manifests of aliens (Forms 500, 500–A, and 500–B) shall constitute the "book of record" required by the statute referred to, and that all completed manifests shall be arranged chronologically, bound permanently in books of 150 manifests, and carefully preserved for reference. Due precautions must be taken to guard against the possible loss or destruction of manifests, whether bound or not. What shall constitute;

(*c*) Inspection officers are directed to give particular attention to procuring the supplemental information called for in columns 25 to 29 of the manifest, supplying any deficiencies which may be found to exist and carefully verifying the information set forth under the respective headings. Officers to supply deficiencies in;

(*d*) All aliens from Canada and Mexico applying for admission to the United States, except those who have resided in Canada or Mexico for one year or more who are coming for temporary sojourn in the United States, shall be regularly manifested both for statistical and naturalization purposes. What aliens from Canada and Mexico to be manifested;

(*e*) To facilitate reference to the permanent record herein constituted, the names of all aliens shall be card indexed (Form 502 being used for that purpose), a card to be made out for each and every alien admitted to the United States, except those who have resided in Canada or Mexico for one year or more who are coming for temporary sojourn in the United States. The index cards shall be carefully and accurately prepared and placed in card-index cabinets provided for that purpose, alphabetical guide cards being used, to whatever extent may be necessary, to insure proper subdivision of the record cards. Commissioners of immigration and inspectors in charge shall apply to the Bureau for any special in- Preparation of card indexes.

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Record books and card indexes required by naturalization law:

structions or information desired in regard to indexing, card cabinets, preparation and binding of manifests, etc. Whenever practicable, index cards shall be typewritten to insure legibility, black record typewriter ribbons to be used. In the event of possible confusion of the surname and given name, one card to be made for each combination, thus insuring an accurate cross-reference index.

DAN'L J. KEEFE,
Commissioner-General of Immigration.

Approved June 7, 1909.

ORMSBY MCHARG,
Acting Secretary.

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APPENDIX.

LAWS NOT REPEALED OR REENACTED BY THE IMMIGRATION ACT OF FEBRUARY 20, 1907.

ACT OF AUGUST 3, 1882.

AN ACT to regulate immigration.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there shall be levied, collected, and paid a duty of fifty cents for each and every passenger not a citizen of the United States who shall come by steam or sail vessel from a foreign port to any port within the United States. The said duty shall be paid to the collector of customs of the port to which such passenger shall come, or if there be no collector at such port, then to the collector of customs nearest thereto, by the master, owner, agent, or consignee of every such vessel, within twenty-four hours after the entry thereof into such port. The money thus collected shall be paid into the United States Treasury and shall constitute a fund to be called the immigrant fund and shall be used, under the direction of the Secretary of Commerce and Labor, to defray the expense of regulating immigration under this act and for the care of immigrants arriving in the United States, for the relief of such as are in distress, and for the general purposes and expenses of carrying this act into effect. The duty imposed by this section shall be a lien upon the vessels which shall bring such passengers into the United States, and shall be a debt in favor of the United States against the owner or owners of such vessels, and the payment of such duty may be enforced by any legal or equitable remedy: *Provided*, That no greater sum shall be expended for the purposes hereinbefore mentioned, at any port, than shall have been collected at such port.[a]

Head tax: Amount; By whom and to whom paid, within 24 hours after arrival; To constitute Immigrant fund; How collection enforced.

* * * * *

Approved August 3, 1882 (22 Stat., 214).

[a] See section 1, act February 20, 1907, and Rules 1, 2, and 3.

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ACT OF FEBRUARY 26, 1885.

AN ACT to prohibit the importation and immigration of foreigners and aliens under contract or agreement to perform labor in the United States, its Territories, and the District of Columbia.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, * * *

Contract labor:

Contracts for alien labor declared void.

SEC. 2. That all contracts or agreements, express or implied, parol or special, which may hereafter be made by and between any person, company, partnership, or corporation, and any foreigner or foreigners, alien or aliens, to perform labor or service or having reference to the performance of labor or service by any person in the United States, its Territories, or the District of Columbia, previous to the migration or importation of the person or persons whose labor or service is contracted for into the United States, shall be utterly void and of no effect.[a]

* * * * *

Approved February 26, 1885 (23 Stat., 332).

ACT OF MARCH 3, 1891.

AN ACT in amendment to the various acts relative to immigration and the importation of aliens under contract or agreement to perform labor.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, * * *

Superintendent of immigration:

Office created; Salary fixed.

SEC. 7. That the office of superintendent of immigration is hereby created and established, and the President, by and with the advice and consent of the Senate, is authorized and directed to appoint such officer, whose salary shall be four thousand dollars per annum, payable monthly. The superintendent of immigration shall be an officer in the Department of Commerce and Labor, under the control and supervision of the Secretary of Commerce and Labor, to whom he shall make annual reports in writing of the transactions of his office, together with such special reports, in writing, as the Secretary of Commerce and Labor shall require. The Secretary shall provide the superintendent with a suitably furnished office in the city of Washington, and with such books of record and facilities for the discharge of the duties of his office as may be necessary. He shall have a chief clerk at a salary of two thousand dollars per annum, and two first-class clerks.[b]

* * * * *

Approved March 3, 1891 (26 Stat., 1084).

[a] See sections 2, 4, 5, and 6, act February 20, 1907.

[b] See section 1, act March 2, 1895, and section 22, act February 20, 1907.

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ACT OF FEBRUARY 15, 1893.

AN ACT granting additional quarantine powers and imposing additional duties upon the Marine-Hospital Service.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, * * *

Quarantine: President given extraordinary power to suspend immigration.

SEC. 7. That whenever it shall be shown to the satisfaction of the President that by reason of the existence of cholera, or other infectious or contagious diseases, in a foreign country there is serious danger of the introduction of the same into the United States, and that notwithstanding the quarantine defense this danger is so increased by the introduction of persons or property from such country that a suspension of the right to introduce the same is demanded, in the interest of the public health, the President shall have power to prohibit, in whole or in part, the introduction of persons and property from such countries or places as he shall designate and for such period of time as he may deem necessary.

* * * * *

Approved February 15, 1893 (27 Stat., 449).

ACT OF MARCH 3, 1893.

AN ACT to facilitate the enforcement of the immigration and contract-labor laws of the United States.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, * * *

Certificates: Required of steamship companies re posting laws in foreign offices;

SEC. 8. That all steamship or transportation companies, and other owners of vessels, regularly engaged in transporting alien immigrants to the United States, shall twice a year file a certificate with the Secretary of Commerce and Labor that they have furnished to be kept conspicuously exposed to view in the office of each of their agents in foreign countries authorized to sell emigrant tickets, a copy of the law of March third, eighteen hundred and ninety-one, and of all subsequent laws of this country relative to immigration, printed in large letters, in the language of the country where the copy of the law is to be exposed to view, and that they have instructed their agents to call the attention thereto of persons contemplating emigration before selling tickets to them; and in case of the failure for sixty days of any such company or any such owners to file such a certificate, or in case they file a false certificate, they shall pay a fine of not exceeding five hundred dollars, to be recovered in the proper United States court, and said fine shall also be a lien upon any vessel of said company or owners found within the United States.[a]

Penalty for failure.

* * * * *

Approved March 3, 1893 (27 Stat., 569).

[a] See Rule 44 for time of filing.

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ACT OF AUGUST 18, 1894.

AN ACT making appropriations for sundry civil expenses of the Government for the fiscal year ending June thirtieth, eighteen hundred and ninety-five, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, * * *

Commissioners of immigration: Appointed by President.

The commissioners of immigration at the several ports shall be appointed by the President, by and with the advice and consent of the Senate, to hold their offices for the term of four years, unless sooner removed, and until their successors are appointed; and nominations for such offices shall be made to the Senate by the President as soon as practicable after the passage of this act.[a]

Approved August 18, 1894 (28 Stat., 372).

ACT OF MARCH 2, 1895.

AN ACT making appropriations for the legislative, executive, and judicial expenses of the Government for the fiscal year ending June thirtieth, eighteen hundred and ninety-six, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, * * *

BUREAU OF IMMIGRATION.

Commissioner-General: Title created; Administration contract-labor laws placed under;

That the Superintendent of Immigration shall hereafter be designated as Commissioner-General of Immigration, and, in addition to his other duties, shall have charge, under the Secretary of Commerce and Labor, of the administration of the alien contract-labor laws, etc.[a]

Approved March 2, 1895 (28 Stat., 764).

ACT OF JUNE 6, 1900.

AN ACT making appropriations for sundry civil expenses of the Government for the fiscal year ending June thirtieth, nineteen hundred and one, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, * * * and hereafter the Commissioner-General of Immigration, in addition to his other duties, shall have charge of the administration of the Chinese-exclusion law and of the various acts regulating immigration into the United States, its Territories, and the District of Columbia, under the supervision and direction of the Secretary of Commerce and Labor.

Chinese-exclusion law placed under.

Approved June 6, 1900 (31 Stat., 611).

[a] See section 7, act March 3, 1891, and section 22, act February 20, 1907.

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ACT OF APRIL 29, 1902.

AN ACT to prohibit the coming into and to regulate the residence within the United States, its Territories, and all territory under its jurisdiction, and the District of Columbia, of Chinese and persons of Chinese descent.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, * * *

Fairs and expositions: Exceptions in favor of exhibitors at.

SEC. 3. That nothing in the provisions of this Act or any other Act shall be construed to prevent, hinder, or restrict any foreign exhibitor, representative, or citizen of any foreign nation, or the holder, who is a citizen of any foreign nation, of any concession or privilege from any fair or exposition authorized by Act of Congress from bringing into the United States, under contract, such mechanics, artisans, agents, or other employees, natives of their respective foreign countries, as they or any of them may deem necessary for the purpose of making preparation for installing or conducting their exhibits or of preparing for installing or conducting any business authorized or permitted under or by virtue of or pertaining to any concession or privilege which may have been or may be granted by any said fair or exposition in connection with such exposition, under such rules and regulations as the Secretary of Commerce and Labor may prescribe, both as to the admission and return of such person or persons.

* * * * *

Approved April 29, 1902 (32 Stat., part 1, p. 176).

ACT OF FEBRUARY 3, 1905.

AN ACT making appropriations for the legislative, executive, and judicial expenses of the Government for the fiscal year ending June thirtieth, nineteen hundred and six, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, * * *

BUREAU OF IMMIGRATION.

* * * * *

Head tax: Refund of, when erroneously collected.

Provided, That the Commissioner-General of Immigration, with the approval of the Secretary of Commerce and Labor, shall have power to refund head tax heretofore and hereafter collected under section one of the immigration Act approved March third, nineteen hundred and three, upon presentation of evidence showing conclusively that such collection was erroneously made.[a]

Approved February 3, 1905 (33 Stat., part 1, p. 631).

[a] See Rules 1 and 41.

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ACT OF FEBRUARY 6, 1905.

AN ACT to amend an Act approved July first, nineteen hundred and two, entitled "An Act temporarily to provide for the administration of the affairs of civil government in the Philippine Islands, and for other purposes," and to amend an Act approved March eighth, nineteen hundred and two, entitled "An Act temporarily to provide revenue for the Philippine Islands, and for other purposes," and to amend an Act approved March second, nineteen hundred and three, entitled "An Act to establish a standard of value and to provide for a coinage system in the Philippine Islands," and to provide for the more efficient administration of civil government in the Philippine Islands, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, * * *

Philippine Islands: Enforcement immigration laws therein; Collection head tax therein.

SEC. 6. That the immigration laws of the United States in force in the Philippine Islands shall be administered by the officers of the general government thereof designated by appropriate legislation of said government, and all moneys collected under said laws as duty or head tax on alien immigrants coming into said islands shall not be covered into the general fund of the Treasury of the United States, but shall be paid into the treasury of said islands to be used and expended for the government and benefit of said islands.

* * * * *

Approved February 6, 1905 (33 Stat., 689).

ACT OF MARCH 3, 1905.

AN ACT making appropriations for sundry civil expenses of the Government for the fiscal year ending June thirtieth, nineteen hundred and six, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, * * *

Subscriptions: To be paid in advance.

Provided, That the annual subscriptions for publications for use in the immigration service at large may be paid in advance.

Approved March 3, 1905 (33 Stat., part 1, p. 1156).

ACT OF JUNE 29, 1906.

AN ACT to establish a Bureau of Immigration and Naturalization, and to provide for a uniform rule for the naturalization of aliens throughout the United States.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the designation of the Bureau of Immigration in the Department of Commerce and Labor is hereby changed to the "Bureau of Immigration and Naturalization," which said Bureau, under the direction and control of the Secretary of Commerce and Labor, in addition to

Bureau of Immigration: Title changed to Bureau of Immigration and Naturalization.

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the duties now provided by law, shall have charge of all matters concerning the naturalization of aliens. That it shall be the duty of the said Bureau to provide, for use at the various immigration stations throughout the United States, books of record, wherein the commissioners of immigration shall cause a registry to be made in the case of each alien arriving in the United States from and after the passage of this Act of the name, age, occupation, personal description (including height, complexion, color of hair and eyes), the place of birth, the last residence, the intended place of residence in the United States, and the date of arrival of said alien, and, if entered through a port, the name of the vessel in which he comes. And it shall be the duty of said commissioners of immigration to cause to be granted to such alien a certificate of such registry, with the particulars thereof.[a]

* * * * *

Approved June 29, 1906 (34 Stat., part 1, p. 596).

ACT OF MARCH 2, 1907.

AN ACT In reference to the expatriation of citizens and their protection abroad.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of State shall be authorized, in his discretion, to issue passports to persons not citizens of the United States as follows: Where any person has made a declaration of intention to become such a citizen as provided by law and has resided in the United States for three years a passport may be issued to him entitling him to the protection of the Government in any foreign country: *Provided*, That such passport shall not be valid for more than six months and shall not be renewed, and that such passport shall not entitle the holder to the protection of this Government in the country of which he was a citizen prior to making such declaration of intention.

Passports:

When issued to persons not citizens;

Not valid in country of alien's former domicile.

SEC. 2. That any American citizen shall be deemed to have expatriated himself when he has been naturalized in any foreign state in conformity with its laws, or when he has taken an oath of allegiance to any foreign state.

Expatriation:

How effected;

When any naturalized citizen shall have resided for two years in the foreign state from which he came, or for five years in any other foreign state it shall be presumed that he has ceased to be an American citizen, and the place of his general abode shall be deemed his place of residence during said years: *Provided, however*, That such presumption may be overcome on the presentation of satisfactory evidence to a diplomatic or consular officer of the

How presumption overcome.

[a] For naturalization laws and regulations drawn thereunder, see pamphlet entitled "Naturalization Laws and Regulations."

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United States, under such rules and regulations as the Department of State may prescribe: *And provided also*, That no American citizen shall be allowed to expatriate himself when this country is at war.

Marriage:

How affects status of woman marrying foreigner;

SEC. 3. That any American woman who marries a foreigner shall take the nationality of her husband. At the termination of the marital relation she may resume her American citizenship, if abroad, by registering as an American citizen within one year with a consul of the United States, or by returning to reside in the United States, or, if residing in the United States at the termination of the marital relation, by continuing to reside therein.

Of foreign woman marrying American.

SEC. 4. That any foreign woman who acquires American citizenship by marriage to an American shall be assumed to retain the same after the termination of the marital relation if she continues to reside in the United States, unless she makes formal renunciation thereof before a court having jurisdiction to naturalize aliens, or if she resides abroad she may retain her citizenship by registering as such before a United States consul within one year after the termination of such marital relation.

Minor children:

Born outside United States, how citizenship resumed, and when takes effect.

SEC. 5. That a child born without the United States of alien parents shall be deemed a citizen of the United States by virtue of the naturalization of or resumption of American citizenship by the parent: *Provided*, That such naturalization or resumption takes place during the minority of such child: *And provided further*, That the citizenship of such minor child shall begin at the time such minor child begins to reside permanently in the United States.

Foreign born, citizens under sec. 1993, R. S.: Assumption of citizenship by.

SEC. 6. That all children born outside the limits of the United States who are citizens thereof in accordance with the provisions of section nineteen hundred and ninety-three of the Revised Statutes of the United States[a] and who continue to reside outside the United States shall, in order to receive the protection of this Government, be required upon reaching the age of eighteen years to record at an American consulate their intention to become residents and remain citizens of the United States and shall be further required to take the oath of allegiance to the United States upon attaining their majority.

Evidence:

To be filed with State Department.

SEC. 7. That duplicates of any evidence, registration, or other acts required by this Act shall be filed with the Department of State for record.

Approved March 2, 1907.

[a] Sec. 1993, Revised Statutes, reads as follows: "All children heretofore born or hereafter born out of the limits and jurisdiction of the United States, whose fathers were or may be at the time of their birth citizens thereof, are declared to be citizens of the United States; but the rights of citizenship shall not descend to children whose fathers never resided in the United States."

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DEPARTMENT OF COMMERCE AND LABOR

BUREAU OF IMMIGRATION AND NATURALIZATION

Immigration Laws

and

Regulations of July 1, 1907

Eighth Edition, approved December 15, 1909

Embodying Amendments to Rules 4, 24, and Statistical Rule 23



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1909

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IMMIGRATION LAWS AND REGULATIONS.

IMMIGRATION ACT OF FEBRUARY 20, 1907.

NOTE.—The Immigration Act of February 20, 1907, repeals the act of March 3, 1903, and all prior acts or parts of acts inconsistent with the new law. In the back of this pamphlet are published such portions of the prior acts as are not repealed by or reenacted in the act of February 20, 1907; also the act of March 2, 1907, regarding expatriation. If necessary to refer to the old acts, they may be found in the pamphlets "Immigration Laws and Regulations" heretofore issued, or in the United States Statutes at Large, as follows: Note as to acts published herein.

List of immigration acts.

Act approved March 3, 1875: 18 Stat., part 3, page 477.
Act approved August 3, 1882: 22 Stat., page 214.
Act approved June 26, 1884 (sec. 22 only): 23 Stat., page 58.
Act approved February 26, 1885: 23 Stat., page 332.
Act approved February 23, 1887: 24 Stat., page 414.
Act approved October 19, 1888: 25 Stat., page 565.
Act approved March 3, 1891: 26 Stat., page 1084.
Act approved February 15, 1893 (sec. 7): 27 Stat., page 449.
Act approved March 3, 1893: 27 Stat., page 569.
Act approved August 18, 1894: 28 Stat., page 390.
Act approved March 2, 1895: 28 Stat., page 780.
Act approved June 6, 1900: 31 Stat., page 611.
Act approved April 29, 1902: 32 Stat., part 1, page 176.
Act approved March 3, 1903: 32 Stat., part 1, page 1213.
Act approved March 22, 1904: 33 Stat., part 1, page 144.
Act approved April 28, 1904: 33 Stat., part 1, page 591.
Act approved February 3, 1905: 33 Stat., part 1, page 684.

ACT OF FEBRUARY 20, 1907.

AN ACT to regulate the immigration of aliens into the United States.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there shall be levied, collected, and paid a tax of four dollars for every alien entering the United

Head tax:

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Head tax: To whom paid; By whom paid.

States.[a] The said tax shall be paid to the collector of customs of the port or customs district to which said alien shall come, or, if there be no collector at such port or district, then to the collector nearest thereto, by the master, agent, owner, or consignee of the vessel, transportation line, or other conveyance or vehicle bringing such alien to the United States. The money thus collected, together with all fines and rentals[b] collected under the laws regulating the immigration of aliens into the United States, shall be paid into the Treasury of the United States, and shall constitute a permanent appropriation to be called the "immigrant fund," to be used under the direction of the Secretary of Commerce and Labor to defray the expense of regulating the immigration of aliens into the United States under said laws, including the contract labor laws, the cost of reports of decisions of the Federal courts, and digest thereof, for the use of the Commissioner-General of Immigration, and the salaries and expenses of all officers, clerks, and employees appointed to enforce said laws. The tax imposed by this section shall be a lien upon the vessel, or other vehicle of carriage or transportation bringing such aliens to the United States, and shall be a debt in favor of the United States against the owner or owners of such vessel, or other vehicle, and the payment of such tax may be enforced by any legal or equitable remedy. That the said tax shall not be levied upon aliens who shall enter the United States after an uninterrupted residence of at least one year, immediately preceding such entrance, in the Dominion of Canada, Newfoundland, the Republic of Cuba, or the Republic of Mexico, nor upon otherwise admissible residents of any possession of the United States, nor upon aliens in transit through the United States, nor upon aliens who have been lawfully admitted to the United States and who later shall go in transit from one part of the United States to another through foreign contiguous territory:[c] *Provided*, That the Commissioner-General of Immigration, under the direction or with the approval of the Secretary of Commerce and Labor, by agreement with transportation lines, as provided in section thirty-two of this Act, may arrange in some other manner for the payment of the tax imposed by this section upon any or all aliens seeking admission from foreign contiguous territory:[d] *Provided further*, That if in any fiscal year the amount of money collected under the provisions of this section shall exceed two million five hundred thousand dollars, the excess above

Head tax, fines, and rentals, to constitute—

Immigrant fund: For what used.

Head tax: To be lien upon vessel; How payment enforced; Classes exempted from payment of;

Payment on account aliens from contiguous territory;

No more than $2,500,000 to go into Immigrant fund;

[a] For specific exceptions, see Rule 2.

[b] For method of depositing fines and rentals, see Rule 3; for procedure in collecting fines and reporting suits for collection, see Rules 28, 29, and 30.

[c] See paragraph (*g*), Rule 2.

[d] See Rules 2, 25, and 27.

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that amount shall not be added to the "immigrant fund:" *Provided further*, That the provisions of this section shall not apply to aliens arriving in Guam, Porto Rico, or Hawaii; but if any such alien, not having become a citizen of the United States, shall later arrive at any port or place of the United States on the North American Continent the provisions of this section shall apply:[a] *Provided further*, That whenever the President shall be satisfied that passports issued by any foreign government to its citizens to go to any country other than the United States or to any insular possession of the United States or to the Canal Zone are being used for the purpose of enabling the holders to come to the continental territory of the United States to the detriment of labor conditions therein, the President may refuse to permit such citizens of the country issuing such passports to enter the continental territory of the United States from such other country or from such insular possessions or from the Canal Zone.[b]

Head tax: Exceptions—Guam, Porto Rico, and Hawaii.

Passports: If limited and used to detriment labor conditions, holders to be rejected.

SEC. 2. That the following classes of aliens shall be excluded from admission into the United States: All idiots, imbeciles, feeble-minded persons, epileptics, insane persons, and persons who have been insane within five years previous; persons who have had two or more attacks of insanity at any time previously; paupers; persons likely to become a public charge;[c] professional beggars; persons afflicted with tuberculosis or with a loathsome or dangerous contagious disease;[d] persons not comprehended within any of the foregoing excluded classes who are found to be and are certified by the examining surgeon as being mentally or physically defective, such mental or physical defect being of a nature which may affect the ability of such alien to earn a living;[c] persons who have been convicted of or admit having committed a felony or other crime or misdemeanor involving moral turpitude; polygamists, or persons who admit their belief in the practice of polygamy, anarchists, or persons who believe in or advocate the overthrow by force or violence of the Government of the United States, or of all government, or of all forms of law, or the assassination of public officials; prostitutes, or women or girls coming into the United States for the purpose of prostitution or for any other immoral purpose; persons who procure or attempt to bring in pros-

Excluded classes:

Idiots, insane, etc.;

Paupers, persons likely to become a public charge;

Diseased;

Mentally or physically defective;

Criminals;

Polygamists;

Anarchists;

Prostitutes, etc.;

[a] See Rule 2.

[b] For President's proclamation and regulations drawn thereunder, see Rule 21.

[c] For provisions for landing under bond persons likely to become public charges and persons certified for physical defects, see Rule 20.

[d] For provision for placing in hospital, "with the express permission of the Secretary," persons afflicted with tuberculosis or with a loathsome or dangerous contagious disease, see Rule 10.

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Excluded classes: titutes or women or girls for the purpose of prostitution or for any other immoral purpose; persons hereinafter

Contract laborers; called contract laborers, who have been induced or solicited to migrate to this country by offers or promises of employment or in consequence of agreements, oral, written or printed, express or implied, to perform labor in this country of any kind, skilled or unskilled; those who have been, within one year from the date of application for admission to the United States, deported as having been induced or solicited to migrate as above described;

Assisted aliens; any person whose ticket or passage is paid for with the money of another, or who is assisted by others to come, unless it is affirmatively and satisfactorily shown that such person does not belong to one of the foregoing excluded classes, and that said ticket or passage was not paid for by any corporation, association, society, municipality, or foreign government, either directly or indirectly; all children under sixteen years of age, unaccompanied by one or both of their parents, at the discretion of the Secretary of Commerce and Labor or under such regulations as he may from time to time prescribe:[a] *Provided*, That nothing in this Act shall exclude, if otherwise admissible, persons convicted of an offense purely political, not involving moral turpitude: *Provided further*, That the provisions of this section relating to the payments for tickets or passage by any corporation, association, society, municipality, or foreign government shall not apply to the tickets or passage of aliens in immediate and continuous transit through the United States to foreign contiguous territory: *And provided further*, That skilled labor may be imported if labor of like kind unemployed can not be found in this country: *And provided further*, That the provisions of this law applicable to contract labor shall not be held to exclude professional actors, artists, lecturers, singers, ministers of any religious denomination, professors for colleges or seminaries, persons belonging to any recognized learned profession, or persons employed strictly as personal or domestic servants.

Children under 16;

Exceptions—

Offenses political;

Transits;

Skilled labor;

Actors, artists, etc.

Prostitutes:

Importation or holding penalized; SEC. 3. That the importation into the United States of any alien woman or girl for the purpose of prostitution, or for any other immoral purpose, is hereby forbidden; and whoever shall, directly or indirectly, import, or attempt to import, into the United States, any alien woman or girl for the purpose of prostitution, or for any other immoral purpose, or whoever shall hold or attempt to hold any alien woman or girl for any such purpose in pursuance of such illegal importation, or whoever shall keep, maintain, control, support, or harbor in any house or other place, for the purpose of prostitution, or for any other immoral purpose, any alien woman or girl, within three years after she shall have entered the United States,

[a] For regulations, see Rule 5.

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shall, in every such case, be deemed guilty of a felony, and on conviction thereof be imprisoned not more than five years and pay a fine of not more than five thousand dollars; and any alien woman or girl who shall be found an inmate of a house of prostitution or practicing prostitution, at any time within three years after she shall have entered the United States, shall be deemed to be unlawfully within the United States and shall be deported as provided by sections twenty and twenty-one of this Act.[a]

Prostitutes: Deportation of, within three years.

SEC. 4. That it shall be a misdemeanor for any person, company, partnership, or corporation, in any manner whatsoever, to prepay the transportation or in any way to assist or encourage the importation or migration of any contract laborer or contract laborers into the United States, unless such contract laborer or contract laborers are exempted under the terms of the last two provisos contained in section two of this Act.

Contract laborers: Importation of, forbidden;

SEC. 5. That for every violation of any of the provisions of section four of this Act the person, partnership, company, or corporation violating the same, by knowingly assisting, encouraging, or soliciting the migration or importation of any contract laborer into the United States shall forfeit and pay for every such offense the sum of one thousand dollars, which may be sued for and recovered by the United States, or by any person who shall first bring his action therefor in his own name and for his own benefit, including any such alien thus promised labor or service of any kind as aforesaid, as debts of like amount are now recovered in the courts of the United States; and separate suits may be brought for each alien thus promised labor or service of any kind as aforesaid.[b] And it shall be the duty of the district attorney of the proper district to prosecute every such suit when brought by the United States.

Penalty for importing; U. S. attorneys to prosecute suits;

SEC. 6. That it shall be unlawful and be deemed a violation of section four of this Act to assist or encourage the importation or migration of any alien by promise of employment through advertisements printed and published in any foreign country; and any alien coming to this country in consequence of such an advertisement shall be treated as coming under promise or agreement as contemplated in section two of this Act, and the penalties imposed by section five of this Act shall be applicable to such a case: *Provided*, That this section shall not apply to States or Territories, the District of Columbia, or places subject to the jurisdiction of the United States advertising the inducements they offer for immigration thereto, respectively.

Advertising for, forbidden; Exception, in favor States and Territories.

SEC. 7. That no transportation company or owner or owners of vessels, or others engaged in transporting aliens into the United States, shall, directly or indirectly, either by writing, printing, or oral representation, solicit, invite,

Soliciting: Forbidden on part transportation companies;

[a] See paragraph (c), Rule 31, and Rules 34–38.
[b] For method of reporting, see Rule 30.

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Soliciting: or encourage the immigration of any aliens into the United States, but this shall not be held to prevent transportation companies from issuing letters, circulars, or advertisements, stating the sailings of their vessels and terms and facilities of transportation therein; and for a violation of this provision, any such transportation company, and any such owner or owners of vessels, and all others engaged in transporting aliens into the United Penalty for. States, and the agents by them employed, shall be severally subjected to the penalties imposed by section five of this Act.

Unlawful landing: SEC. 8. That any person, including the master, agent, owner, or consignee of any vessel, who shall bring into Penalty for. or land in the United States, by vessel or otherwise, or who shall attempt, by himself or through another, to bring into or land in the United States, by vessel or otherwise, any alien not duly admitted by an immigrant inspector or not lawfully entitled to enter the United States shall be deemed guilty of a misdemeanor, and shall, on conviction, be punished by a fine not exceeding one thousand dollars, or by imprisonment for a term not exceeding two years, or by both such fine and imprisonment for each and every alien so landed or brought in or attempted to be landed or brought in.[a]

Fine $100: SEC. 9. That it shall be unlawful for any person, in-
For bringing diseased aliens; cluding any transportation company other than railway lines entering the United States from foreign contiguous territory, or the owner, master, agent, or consignee of any vessel to bring to the United States any alien subject to any of the following disabilities: Idiots, imbeciles, epileptics, or persons afflicted with tuberculosis or with a loathsome or dangerous contagious disease, and if it shall appear to the satisfaction of the Secretary of Commerce and Labor that any alien so brought to the United States was afflicted with any of the said diseases or disabilities at the time of foreign embarkation and that the existence of such disease or disability might have been detected by means of a competent medical examination at such time,
Method of collecting. of such person or transportation company, or the master, agent, owner, or consignee of any such vessel shall pay to the collector of customs of the customs district in which the port of arrival is located the sum of one hundred dollars for each and every violation of the provisions of this section; and no vessel shall be granted clearance papers pending the determination of the question of the liability to the payment of such fine, and in the event such fine is imposed, while it remains unpaid, nor shall such fine be remitted or refunded: *Provided*, That clearance may be granted prior to the determination of such questions upon the deposit of a sum sufficient to cover such fine and costs, such sum to be named by the Secretary of Commerce and Labor.[b]

[a] For method of reporting, see Rule 30.
[b] For method of imposing, see Rule 28.

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Appeals:
Not allowed aliens afflicted with tuberculosis or dangerous contagious diseases.

SEC. 10. That the decision of the board of special inquiry, hereinafter provided for, based upon the certificate of the examining medical officer, shall be final as to the rejection of aliens affected with tuberculosis or with a loathsome or dangerous contagious disease, or with any mental or physical disability which would bring such aliens within any of the classes excluded from admission to the United States under section two of this Act.[a]

Guardian en voyage:
Transportation companies to bear expense of.

SEC. 11. That upon the certificate of a medical officer of the United States Public Health and Marine Hospital Service to the effect that a rejected alien is helpless from sickness, mental or physical disability, or infancy, if such alien is accompanied by another alien whose protection or guardianship is required by such rejected alien, such accompanying alien may also be excluded, and the master, agent, owner, or consignee of the vessel in which such alien and accompanying alien are brought shall be required to return said alien and accompanying alien in the same manner as vessels are required to return other rejected aliens.[b]

Manifests:
Incoming passengers—

SEC. 12. That upon the arrival of any alien by water at any port within the United States,[c] it shall be the duty of the master or commanding officer of the steamer, sailing or other vessel having said alien on board to deliver to the immigration officers at the port of arrival lists or manifests made at the time and place of embarkation of such alien on board such steamer or vessel, which shall, in answer to questions at the top of said list, state as to each alien the full name, age, and sex; whether married or single; the calling or occupation; whether able to read or write; the nationality; the race; the last residence; the name and address of the nearest relative in the country from which the alien came; the seaport for landing in the United States; the final destination, if any, beyond the port of landing; whether having a ticket through to such final destination; whether the alien has paid his own passage or whether it has been paid by any other person or by any corporation, society, municipality, or government, and if so, by whom; whether in possession of fifty dollars, and if less, how much; whether going to join a relative or friend, and if so, what relative or friend, and his or her name and complete address; whether ever before in the United States, and if so, when and where; whether ever in prison or almshouse or an institution or hospital for the care and treatment of the insane or supported by charity; whether a polygamist; whether an anarchist; whether coming by reason of any offer, solicitation, promise, or agreement, express or implied, to perform labor in the United States,

What to contain;

[a] See Rules 6 and 20; also latter part of section 25.
[b] See Rule 12.
[c] For the procurement of manifests from Canadian transportation companies, see paragraph (*e*), Rule 25.

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Manifests:

Outgoing passengers—

and what is the alien's condition of health, mental and physical, and whether deformed or crippled, and if so, for how long and from what cause; that it shall further be the duty of the master or commanding officer of every vessel taking alien passengers out of the United States, from any port thereof, to file before departure therefrom with the collector of customs of such port a complete list of all such alien passengers taken on board.

What to contain;

Such list shall contain the name, age, sex, nationality, residence in the United States, occupation, and the time of last arrival of every such alien in the United States, and no master of any such vessel shall be granted clearance papers for his vessel until he has deposited such list or lists with the collector of customs at the port of departure and made oath that they are full and complete as to the name and other information herein required concerning each alien taken on board his vessel;[a] and any neglect or omission to comply with the requirements of this section shall be punishable as provided in section fifteen of this Act.[b]

Penalty;

With whom deposited;

That the collector of customs with whom any such list has been deposited in accordance with the provisions of this section, shall promptly notify the Commissioner-General of Immigration that such list has been deposited with him as provided, and shall make such further disposition thereof as may be required by regulations to be issued by the Commissioner-General of Immigration with the approval of the Secretary of Commerce and Labor:[c] *Provided*, That in the case of vessels making regular trips to ports of the United States the Commissioner-General of Immigration, with the approval of the Secretary of Commerce and Labor, may, when expedient, arrange for the delivery of such lists of outgoing aliens at a later date:[c] *Provided further*, That it shall be the duty of the master or commanding officer of any vessel sailing from ports in the Philippine Islands, Guam, Porto Rico, or Hawaii to any port of the United States on the North American Continent to deliver to the immigration officers at the port of arrival lists or manifests made at the time and place of embarkation, giving the names of all aliens on board said vessel.[d]

Of aliens from the Philippines, Guam, Porto Rico, and Hawaii;

How made up;

SEC. 13. That all aliens arriving by water at the ports of the United States shall be listed in convenient groups, and no one list or manifest shall contain more than thirty names. To each alien or head of a family shall be given a ticket on which shall be written his name, a number or letter designating the list in which his name, and so forth, is contained, and his number on said list, for convenience

[a] For the procurement of manifests from Canadian transportation companies, see paragraph (*e*), Rule 25.

[b] For method of imposing fine, see Rule 29.

[c] See Rule XXIX, statistical regulations.

[d] See paragraphs (*b*) and (*c*), Rule I, statistical regulations.

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Manifests:

To be signed and sworn to by master, as to correctness of contents;

of identification on arrival. Each list or manifest shall be verified by the signature and the oath of affirmation of the master or commanding officer, or the first or second below him in command, taken before an immigration officer at the port of arrival, to the effect that he has caused the surgeon of said vessel sailing therewith to make a physical and oral examination of each of said aliens, and that from the report of said surgeon and from his own investigation he believes that no one of said aliens is an idiot, or imbecile, or a feeble-minded person, or insane person, or a pauper, or is likely to become a public charge, or is afflicted with tuberculosis or with a loathsome or dangerous contagious disease, or is a person who has been convicted of, or who admits having committed a felony or other crime or misdemeanor involving moral turpitude, or is a polygamist or one admitting belief in the practice of polygamy, or an anarchist, or under promise or agreement, express or implied, to perform labor in the United States, or a prostitute, or a woman or girl coming to the United States for the purpose of prostitution, or for any other immoral purpose, and that also, according to the best of his knowledge and belief, the information in said lists or manifests concerning each of said aliens named therein is correct and true in every respect.

To be signed and sworn to by surgeon; [a]

SEC. 14. That the surgeon of said vessel sailing therewith shall also sign each of said lists or manifests and make oath or affirmation in like manner before an immigration officer at the port of arrival, stating his professional experience and qualifications as a physician and surgeon, and that he has made a personal examination of each of the said aliens named therein, and that the said list or manifest, according to the best of his knowledge and belief, is full, correct, and true in all particulars relative to the mental and physical condition of said aliens. If no surgeon sails with any vessel bringing aliens the mental and physical examinations and the verifications of the lists or manifests shall be made by some competent surgeon employed by the owners of the said vessel.[a]

Incoming passengers—

Penalty of $10;

SEC. 15. That in the case of the failure of the master or commanding officer of any vessel to deliver to the said immigration officers lists or manifests of all aliens on board thereof, as required in sections twelve, thirteen, and fourteen of this Act, he shall pay to the collector of customs at the port of arrival the sum of ten dollars for each alien concerning whom the above information is not contained in any list as aforesaid: *Provided*, That in the case of failure without good cause to deliver the list of passengers required by section twelve of this Act from the master or commanding officer of every vessel taking alien passengers out of the United States, the penalty shall be paid to the collector of customs at the port of departure

Outgoing passengers—

Penalty of $10;

[a] See paragraph (*g*), Rule 29.

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Manifests: Aggregate fines not to exceed $100.

and shall be a fine of ten dollars for each alien not included in said list; but in no case shall the aggregate fine exceed one hundred dollars.[a]

Inspection:

SEC. 16. That upon the receipt by the immigration officers at any port of arrival of the lists or manifests of incoming aliens provided for in sections twelve, thirteen, and fourteen of this Act, it shall be the duty of said officers to go or to send competent assistants to the vessel to which said lists or manifests refer, and there inspect all such aliens, or said immigration officers may order a temporary removal of such aliens for examination at a designated time and place, but such temporary removal shall not be considered a landing, nor shall it relieve the transportation lines, masters, agents, owners, or consignees of the vessel upon which said aliens are brought to any port of the United States from any of the obligations which, in case such aliens remain on board, would, under the provisions of this Act, bind the said transportation lines, masters, agents, owners, or consignees: *Provided*, That where a suitable building is used for the detention and examination of aliens the immigration officials shall there take charge of such aliens, and the transportation companies, masters, agents, owners, and consignees of the vessels bringing such aliens shall be relieved of the responsibility for their detention thereafter until the return of such aliens to their care.

On board vessel;

Landing for, not actual landing;

If placed in station, immigration officers responsible.

Medical examination:

SEC. 17. That the physical and mental examination of all arriving aliens shall be made by medical officers of the United States Public Health and Marine-Hospital Service, who shall have had at least two years' experience in the practice of their profession since receiving the degree of doctor of medicine and who shall certify for the information of the immigration officers and the boards of special inquiry hereinafter provided for, any and all physical and mental defects or diseases observed by said medical officers in any such alien,[b] or, should medical officers of the United States Public Health and Marine-Hospital Service be not available, civil surgeons of not less than four years' professional experience may be employed in such emergency for such service, upon such terms as may be prescribed by the Commissioner-General of Immigration under the direction or with the approval of the Secretary of Commerce and Labor. The United States Public Health and Marine-Hospital Service shall be reimbursed by the immigration service for all expenditures incurred in carrying out the medical inspection of aliens under regulations of the Secretary of Commerce and Labor.

To be made by P. H. and M. H. surgeons;

P. H. and M. H. Service to be reimbursed for surgeons' salaries.

Unlawful landing:

SEC. 18. That it shall be the duty of the owners, officers, or agents of any vessel or transportation line, other than

[a] For procedure, see Rule 29.
[b] See Rule 9.

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those railway lines which may enter into a contract as provided in section thirty-two of this Act, bringing an alien to the United States to prevent the landing of such alien in the United States at any time or place other than as designated by the immigration officers, and the negligent failure of any such owner, officer, or agent to comply with the foregoing requirements shall be deemed a misdemeanor and be punished by a fine in each case of not less than one hundred nor more than one thousand dollars or by imprisonment for a term not exceeding one year, or by both such fine and imprisonment;[a] and every such alien so landed shall be deemed to be unlawfully in the United States and shall be deported as provided in sections twenty and twenty-one of this Act.[b]

Unlawful landing:

Exception under sec. 32;

Penalty for;

Deportation of aliens so landed.

SEC. 19. That all aliens brought to this country in violation of law shall, if practicable, be immediately sent back to the country whence they respectively came on the vessels bringing them. The cost of their maintenance while on land, as well as the expense of the return of such aliens, shall be borne by the owner or owners of the vessels on which they respectively came; and if any master, person in charge, agent, owner, or consignee of any such vessel shall refuse to receive back on board thereof, or on board of any other vessel owned or operated by the same interests, such aliens, or shall fail to detain them thereon, or shall refuse or fail to return them to the foreign port from which they came, or to pay the cost of their maintenance while on land, or shall make any charge for the return of any such alien, or shall take any security from him for the payment of such charge, such master, person in charge, agent, owner, or consignee shall be deemed guilty of a misdemeanor and shall, on conviction, be punished by a fine of not less than three hundred dollars for each and every such offense; and no vessel shall have clearance from any port of the United States while any such fine is unpaid:[a] *Provided*, That the Commissioner-General of Immigration, with the approval of the Secretary of Commerce and Labor, may suspend, upon conditions to be prescribed by the Commissioner-General of Immigration, the deportation of any alien found to have come in violation of any provision of this Act, if, in his judgment, the testimony of such alien is necessary on behalf of the United States Government in the prosecution of offenders against any provision of this Act: *Provided*, That the cost of maintenance of any person so detained resulting from such suspension of deportation shall be paid from the "immigrant fund"[c] but no alien certified, as provided in section seventeen of this Act, to be suffering from tuberculosis or from a loathsome or dangerous contagious disease other than one of quaran-

Deportation:

By vessel bringing;

Cost of, and of detention, to be borne by steamship companies;

Penalty for failure to hold, deport, or maintain;

Penalty for taking security.

Witnesses:

Authority to hold;

Cost paid from immigrant fund.

Hospital treatment — by express permission of Secretary:

Of those suffering with tuberculosis or loathsome or dangerous disease.

[a] For method of reporting, see Rule 30.
[b] See paragraph (*d*), Rule 31, and Rules 34–38.
[c] See Rule 14.

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tinable nature shall be permitted to land for medical treatment thereof in any hospital in the United States, unless with the express permission of the Secretary of Commerce and Labor:[a] *Provided*, That upon the certificate of a medical officer of the United States Public Health and Marine-Hospital Service to the effect that the health or safety of an insane alien would be unduly imperiled by immediate deportation, such alien may, at the expense of the "immigrant fund," be held for treatment until such time as such alien may, in the opinion of such medical officer, be safely deported.[a]

Insane aliens: Holding for treatment, expense immigrant fund.

Deportation: Unlawful residents and public charges; how expense of, to be borne.

SEC. 20. That any alien who shall enter the United States in violation of law, and such as become public charges from causes existing prior to landing, shall, upon the warrant of the Secretary of Commerce and Labor, be taken into custody and deported to the country whence he came at any time within three years after the date of his entry into the United States. Such deportation, including one-half of the entire cost of removal to the port of deportation, shall be at the expense of the contractor, procurer, or other person by whom the alien was unlawfully induced to enter the United States, or, if that can not be done, then the cost of removal to the port of deportation shall be at the expense of the "immigrant fund" provided for in section one of this Act, and the deportation from such port shall be at the expense of the owner or owners of such vessel or transportation line by which such aliens respectively came:[b] *Provided*, That pending the final disposal of the case of any alien so taken into custody he may be released under a bond in the penalty of not less than five hundred dollars with security approved by the Secretary of Commerce and Labor, conditioned that such alien shall be produced when required for a hearing or hearings in regard to the charge upon which he has been taken into custody, and for deportation if he shall be found to be unlawfully within the United States.[c]

Bond: Releasing arrested aliens on.

Deportation: Of aliens subject thereto; penalty against vessels for refusal to deport on warrant;

SEC. 21. That in case the Secretary of Commerce and Labor shall be satisfied that an alien has been found in the United States in violation of this Act, or that an alien is subject to deportation under the provisions of this Act or of any law of the United States, he shall cause such alien within the period of three years after landing or entry therein to be taken into custody and returned to the country whence he came, as provided by section twenty of this Act,[b] and a failure or refusal on the part of the masters, agents, owners, or consignees of vessels to comply with the order of the Secretary of Commerce and Labor to take on board, guard safely, and return to the country whence he came any alien ordered to be deported

[a] See Rule 10.
[b] See Rules 31–37.
[c] See paragraph (*g*), Rule 35.

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Deportation:

under the provisions of this Act shall be punished by the imposition of the penalties prescribed in section nineteen of this Act:[a] *Provided*, That when in the opinion of the Secretary of Commerce and Labor the mental or physical condition of such alien is such as to require personal care and attendance, he may employ a suitable person for that purpose, who shall accompany such alien to his or her final destination, and the expense incident to such service shall be defrayed in like manner.[b]

Attendants for deported persons.

Commissioner-General:

Duties of;

SEC. 22. That the Commissioner-General of Immigration, in addition to such other duties as may by law be assigned to him, shall, under the direction of the Secretary of Commerce and Labor, have charge of the administration of all laws relating to the immigration of aliens into the United States, and shall have the control, direction, and supervision of all officers, clerks, and employees appointed thereunder. He shall establish such rules and regulations, prescribe such forms of bond, reports, entries, and other papers, and shall issue from time to time such instructions, not inconsistent with law, as he shall deem best calculated for carrying out the provisions of this Act and for protecting the United States and aliens migrating thereto from fraud and loss, and shall have authority to enter into contract for the support and relief of such aliens as may fall into distress or need public aid; all under the direction or with the approval of the Secretary of Commerce and Labor. And it shall be the duty of the Commissioner-General of Immigration to detail officers of the immigration service from time to time as may be necessary, in his judgment, to secure information as to the number of aliens detained in the penal, reformatory, and charitable institutions (public and private) of the several States and Territories, the District of Columbia, and other territory of the United States and to inform the officers of such institutions of the provisions of law in relation to the deportation of aliens who have become public charges: *Provided*, That the Commissioner-General of Immigration may, with the approval of the Secretary of Commerce and Labor, whenever in his judgment such action may be necessary to accomplish the purposes of this Act, detail immigration officers, and also surgeons, in accordance with the provisions of section seventeen, for service in foreign countries.

To make contracts for relief of aliens;

To detail officers to investigate public charges;

To detail officers abroad.

Commissioners:

Duties of.

SEC. 23. That the duties of the commissioners of immigration shall be of an administrative character, to be prescribed in detail by regulations prepared, under the direction or with the approval of the Secretary of Commerce and Labor.

Employees:

Appointing and promoting.

SEC. 24. That immigrant inspectors and other immigration officers, clerks, and employees shall hereafter be appointed and their compensation fixed and raised or de-

[a] For method of reporting, see Rule 30.
[b] For procedure for providing attendant, see Rule 87.

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creased from time to time by the Secretary of Commerce and Labor, upon the recommendation of the Commissioner-General of Immigration and in accordance with the provisions of the civil-service Act of January sixteenth, eighteen hundred and eighty-three: *Provided*,

Contract labor laws: Special provision for enforcement of.

That said Secretary, in the enforcement of that portion of this Act which excludes contract laborers, may employ, without reference to the provisions of the said civil service Act, or to the various Acts relative to the compilation of the official register, such persons as he may deem advisable and from time to time fix, raise, or decrease their compensation. He may draw from the "immigrant fund" annually fifty thousand dollars or as much thereof as may be necessary, to be expended for the salaries and expenses of persons so employed and for expenses incident to such employment; and the accounting officers of the Treasury shall pass to the credit of the proper disbursing officer expenditures from said sum without itemized account whenever the Secretary of Commerce and Labor certifies that an itemized account would not be for the best interests of the Government: *Provided further*,

Commissioners: Appointing.

That nothing herein contained shall be construed to alter the mode of appointing commissioners of immigration at the several ports of the United States as provided by the sundry civil appropriation Act approved August eighteenth, eighteen hundred and ninety-four, or the official status of such commissioners heretofore appointed.

Immigration officers: Power and authority of; False swearing before, perjury;

Immigration officers shall have power to administer oaths and to take and consider evidence touching the right of any alien to enter the United States, and, where such action may be necessary, to make a written record of such evidence; and any person to whom such an oath has been administered under the provisions of this Act who shall knowingly or wilfully give false evidence or swear to any false statement in any way affecting or in relation to the right of any alien to admission to the United States shall be deemed guilty of perjury and be punished as provided by section fifty-three hundred and ninety-two, United States Revised Statutes. The decision of any such officer, if favorable to the admission of any alien, shall be subject to challenge by any other immigration officer, and such challenge shall operate to take the alien whose right to land is so challenged before a board of special inquiry for its investigation. Every alien who may not appear to the examining immigrant inspector at the port of arrival to be clearly and beyond a doubt entitled to land shall be detained for examination in relation thereto by a board of special inquiry.

Challenging decision of. Boards of special inquiry: Detaining aliens for; Appointing;

SEC. 25. That such boards of special inquiry shall be appointed by the commissioner of immigration at the various ports of arrival as may be necessary for the prompt determination of all cases of immigrants detained at such ports under the provisions of law.[a] Each

[a] See Rule 17 for form of oath of board member.

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board shall consist of three members, who shall be selected from such of the immigrant officials in the service as the Commissioner-General of Immigration, with the approval of the Secretary of Commerce and Labor, shall from time to time designate as qualified to serve on such boards: *Provided*, That at ports where there are fewer than three immigrant inspectors, the Secretary of Commerce and Labor, upon the recommendation of the Commissioner-General of Immigration, may designate other United States officials for service on such boards of special inquiry. Such boards shall have authority to determine whether an alien who has been duly held shall be allowed to land or shall be deported. All hearings before boards shall be separate and apart from the public, but the said boards shall keep a complete permanent record of their proceedings and of all such testimony as may be produced before them; and the decision of any two members of a board shall prevail, but either the alien or any dissenting member of the said board may appeal through the commissioner of immigration at the port of arrival and the Commissioner-General of Immigration to the Secretary of Commerce and Labor, and the taking of such appeal shall operate to stay any action in regard to the final disposal of any alien whose case is so appealed until the receipt by the commissioner of immigration at the port of arrival of such decision which shall be rendered solely upon the evidence adduced before the board of special inquiry: *Provided*, That in every case where an alien is excluded from admission into the United States, under any law or treaty now existing or hereafter made, the decision of the appropriate immigration officers, if adverse to the admission of such alien, shall be final, unless reversed on appeal to the Secretary of Commerce and Labor; but nothing in this section shall be construed to admit of any appeal in the case of an alien rejected as provided for in section ten of this Act.[a]

Boards of special inquiry:

Other officials for;

Authority of;

Hearings before, private.

Appeals:

Manner of taking;

Decision on, based solely upon original evidence;

Unless taken, decision of officers final;

Not allowed in cases rejected under section 10.

SEC. 26. That any alien liable to be excluded because likely to become a public charge or because of physical disability other than tuberculosis or a loathsome or dangerous contagious disease may, if otherwise admissible, nevertheless be admitted in the discretion of the Secretary of Commerce and Labor upon the giving of a suitable and proper bond or undertaking, approved by said Secretary in such amount and containing such conditions as he may prescribe, to the people of the United States, holding the United States or any State, Territory, county, municipality, or district thereof harmless against such alien becoming a public charge. The admission of such alien shall be a consideration for the giving of such bond or undertaking. Suit may be brought thereon in the name and by the proper law officers either of the United States Government or of any State, Territory, district,

Bonds:

Landing under;

In what cases permissible;

Bringing suits upon.

[a] See Rules 5–8.

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county, or municipality in which such alien becomes a public charge.[a]

Suits: Compromising, etc.;

SEC. 27. That no suit or proceeding for a violation of the provisions of this Act shall be settled, compromised, or discontinued without the consent of the court in which it is pending, entered of record, with the reasons therefor.

Under former acts not affected hereby.

SEC. 28. That nothing contained in this Act shall be construed to affect any prosecution, suit, action, or proceedings brought, or any act, thing, or matter, civil or criminal, done or existing at the time of the taking effect of this Act; but as to all such prosecutions, suits, actions, proceedings, acts, things, or matters the laws or parts of laws repealed or amended by this Act are hereby continued in force and effect.

Courts, circuit and district: Jurisdiction.

SEC. 29. That the circuit and district courts of the United States are hereby invested with full and concurrent jurisdiction of all causes, civil and criminal, arising under any of the provisions of this Act.

Exclusive privileges: How granted;

SEC. 30. That all exclusive privileges of exchanging money, transporting passengers or baggage, or keeping eating houses, and all other like privileges in connection with any United States immigrant station, shall be disposed of after public competition, subject to such conditions and limitations as the Commissioner-General of Immigration, under the direction or with the approval of the Secretary of Commerce and Labor, may prescribe: *Provided*, That no intoxicating liquors shall be sold in any such immigrant station; that all receipts accruing from the disposal of such exclusive privileges as herein provided shall be paid into the Treasury of the United States to the credit of the "immigrant fund" provided for in section one of this Act.

Proceeds from, to be paid into immigrant fund.

Peace officers: Admission to stations.

SEC. 31. That for the preservation of the peace and in order that arrests may be made for crimes under the laws of the States and Territories of the United States where the various immigrant stations are located, the officers in charge of such stations, as occasion may require, shall admit therein the proper State and municipal officers charged with the enforcement of such laws, and for the purpose of this section the jurisdiction of such officers and of the local courts shall extend over such stations.

Commissioner-General: To make rules and contracts for inspection on land boundaries.

SEC. 32. That the Commissioner-General of Immigration, under the direction or with the approval of the Secretary of Commerce and Labor, shall prescribe rules for the entry and inspection of aliens along the borders of Canada and Mexico, so as not to unnecessarily delay, impede, or annoy passengers in ordinary travel between the United States and said countries, and shall have power to enter into contracts with transportation lines for the said purpose.[b]

[a] See Rule 20 as to circumstances under which accepted.

[b] For arrangement on Canadian border, see Rule 25; on Mexican border, Rule 27.

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"United States:"
Meaning of term.

SEC. 33. That for the purpose of this Act the term "United States" as used in the title as well as in the various sections of this Act shall be construed to mean the United States and any waters, territory, or other place subject to the jurisdiction thereof, except the Isthmian Canal Zone: *Provided*, That if any alien shall leave the canal zone and attempt to enter any other place under the jurisdiction of the United States, nothing contained in this Act shall be construed as permitting him to enter under any other conditions than those applicable to all aliens.

Canal Zone:
Inspection of aliens from.

Commissioner:
Appointment of, at New Orleans.

SEC. 34. That the Commissioner-General of Immigration, with the approval of the Secretary of Commerce and Labor, may appoint a commissioner of immigration to discharge at New Orleans, Louisiana, the duties now required of other commissioners of immigration at their respective posts.

Deportation:
To be to transoceanic ports;

SEC. 35. That the deportation of aliens arrested within the United States after entry and found to be illegally therein, provided for in this Act, shall be to the trans-Atlantic or trans-Pacific ports from which said aliens embarked for the United States; or, if such embarkation was for foreign contiguous territory, to the foreign port at which said aliens embarked for such territory.

Of aliens entering unlawfully.

SEC. 36. That all aliens who shall enter the United States except at the seaports thereof, or at such place or places as the Secretary of Commerce and Labor may from time to time designate, shall be adjudged to have entered the country unlawfully and shall be deported as provided by sections twenty and twenty-one of this Act: *Provided*, That nothing contained in this section shall affect the power conferred by section thirty-two of this Act upon the Commissioner-General of Immigration to prescribe rules for the entry and inspection of aliens along the borders of Canada and Mexico.[a]

Ports of entry:
To be designated on land borders.

Admission:
Of diseased wife or minor children of alien who has declared intention to become citizen.

SEC. 37. That whenever an alien shall have taken up his permanent residence in this country, and shall have filed his declaration of intention to become a citizen, and thereafter shall send for his wife, or minor children to join him, if said wife or any of said children shall be found to be affected with any contagious disorder, such wife or children shall be held, under such regulations as the Secretary of Commerce and Labor shall prescribe, until it shall be determined whether the disorder will be easily curable, or whether they can be permitted to land without danger to other persons; and they shall not be either admitted or deported until such facts have been ascertained; and if it shall be determined that the disorder is easily curable or that they can be permitted to land without danger to other persons, they shall, if otherwise admissible, thereupon be admitted.[b]

[a] See Rule 38; also paragraph (*g*), Rule 21.
[b] See Rule 11.

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Anarchists: Not to be admitted;

SEC. 38. That no person who disbelieves in or who is opposed to all organized government, or who is a member of or affiliated with any organization entertaining and teaching such disbelief in or opposition to all organized government, or who advocates or teaches the duty, necessity, or propriety of the unlawful assaulting or killing of any officer or officers, either of specific individuals or of officers generally, of the Government of the United States or of any other organized government, because of his or their official character, shall be permitted to enter the United States or any territory or place subject to the jurisdiction thereof. This section shall be enforced by the Secretary of Commerce and Labor under such rules and regulations as he shall prescribe. That any person who knowingly aids or assists any such person to enter the United States or any territory or place subject to the jurisdiction thereof, or who connives or conspires with any person or persons to allow, procure, or permit any such person to enter therein, except pursuant to such rules and regulations made by the Secretary of Commerce and Labor shall be fined not more than five thousand dollars, or imprisoned for not more than five years, or both.[a]

Penalty for assisting to enter.

Immigration Commission: How appointed;

SEC. 39. That a commission is hereby created, consisting of three Senators, to be appointed by the President of the Senate, and three members of the House of Representatives, to be appointed by the Speaker of the House of Representatives, and three persons, to be appointed by the President of the United States. Said commission shall make full inquiry, examination, and investigation by sub-committee or otherwise into the subject of immigration. For the purpose of said inquiry, examination, and investigation, said commission is authorized to send for persons and papers, make all necessary travel, either in the United States or any foreign country, and, through the chairman of the commission or any member thereof to administer oaths and to examine witnesses and papers respecting all matters pertaining to the subject, and to employ necessary clerical and other assistance. Said commission shall report to the Congress the conclusions reached by it and make such recommendations as in its judgment may seem proper. Such sums of money as may be necessary for the said inquiry, examination, and investigation are hereby appropriated and authorized to be paid out of the "immigrant fund" on the certificate of the chairman of said commission, including all expenses of the commissioners and a reasonable compensation, to be fixed by the President of the United States, for those members of the commission who are not members of Congress; and the President of the United States is also authorized, in the name of the Government of the United States, to call, in his discretion, an international conference, to assemble at such point as may be agreed upon, or

Authority and duties;

Expenses of, how paid.

International Conference: President authorized to arrange for;

[a] For method of reporting, see Rule 30.

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to send special commissioners to any foreign country, for the purpose of regulating by international agreement, subject to the advice and consent of the Senate of the United States, the immigration of aliens to the United States; of providing for the mental, moral, and physical examination of such aliens by American consuls or other officers of the United States Government at the ports of embarkation, or elsewhere; of securing the assistance of foreign governments in their own territories to prevent the evasion of the laws of the United States governing immigration to the United States; of entering into such international agreements as may be proper to prevent the immigration of aliens who, under the laws of the United States, are or may be excluded from entering the United States, and of regulating any matters pertaining to such immigration.

International Conference: Purpose of.

SEC. 40. Authority is hereby given the Commissioner-General of Immigration to establish, under the direction and control of the Secretary of Commerce and Labor, a division of information in the Bureau of Immigration and Naturalization; and the Secretary of Commerce and Labor shall provide such clerical assistance as may be necessary. It shall be the duty of said division to promote a beneficial distribution of aliens admitted into the United States among the several States and Territories desiring immigration. Correspondence shall he had with the proper officials of the States and Territories, and said division shall gather from all available sources useful information regarding the resources, products, and physical characteristics of each State and Territory, and shall publish such information in different languages and distribute the publications among all admitted aliens who may ask for such information at the immigrant stations of the United States and to such other persons as may desire the same. When any State or Territory appoints and maintains an agent or agents to represent it at any of the immigrant stations of the United States, such agents shall, under regulations prescribed by the Commissioner-General of Immigration, subject to the approval of the Secretary of Commerce and Labor, have access to aliens who have been admitted to the United States for the purpose of presenting, either orally or in writing, the special inducements offered by such State or Territory to aliens to settle therein. While on duty at any immigrant station such agents shall be subject to all the regulations prescribed by the Commissioner-General of Immigration, who, with the approval of the Secretary of Commerce and Labor, may, for violation of any such regulations, deny to the agent guilty of such violation any of the privileges herein granted.

Information division: Establishment of; Duties and authority of.

State agents: Appointment and stationing at ports; Courtesies to; Control of.

SEC. 41. That nothing in this Act shall be construed to apply to accredited officials of foreign governments nor to their suites, families, or guests.[a]

Foreign officials: Exempted from provisions hereof.

[a] See paragraph (*b*), Rule 2.

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Amendatory of navigation act.

SEC. 42. It shall not be lawful for the master of a steamship or other vessel whereon immigrant passengers, or passengers other than cabin passengers, have been taken at any port or place in a foreign country or dominion (ports and places in foreign territory contiguous to the United States excepted) to bring such vessel and passengers to any port or place in the United States unless the compartments, spaces, and accommodations hereinafter mentioned have been provided, allotted, maintained, and used for and by such passengers during the entire voyage; that is to say, in a steamship, the compartments or spaces, unobstructed by cargo, stores, or goods, shall be of sufficient dimensions to allow for each and every passenger carried or brought therein eighteen clear superficial feet of deck allotted to his or her use, if the compartment or space is located on the main deck or on the first deck next below the main deck of the vessel, and twenty clear superficial feet of deck allotted to his or her use for each passenger carried or brought therein if the compartment or space is located on the second deck below the main deck of the vessel: *Provided*, That if the height between the lower passenger deck and the deck immediately above it is less than seven feet, or if the apertures (exclusive of the side scuttles) through which light and air are admitted together to the lower passenger deck are less in size than in the proportion of three square feet to every one hundred superficial feet of that deck, the ship shall not carry a greater number of passengers on that deck than in the proportion of one passenger to every thirty clear superficial feet thereof. It shall not be lawful to carry or bring passengers on any deck other than the decks above mentioned. And in sailing vessels such passengers shall be carried or brought only on the deck (not being an orlop deck) that is next below the main deck of the vessel, or in a poop or deck house constructed on the main deck; and the compartment or space, unobstructed by cargo, stores, or goods, shall be of sufficient dimensions to allow one hundred and ten cubic feet for each and every passenger brought therein. And such passenger shall not be carried or brought in any between decks, nor in any compartment, space, poop, or deck house, the height of which from deck to deck is less than six feet. In computing the number of such passengers carried or brought in any vessel, children under one year of age shall not be included, and two children between one and eight years of age shall be counted as one passenger; and any person brought in any such vessel who shall have been, during the voyage, taken from any other vessel wrecked or in distress on the high seas, or have been picked up at sea from any boat, raft, or otherwise, shall not be included in such computation. The master of a vessel coming to a port or place in the United States in violation of either of the provisions of this section shall be deemed guilty of a misdemeanor; and if the

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number of passengers other than cabin passengers carried or brought in the vessel, or in any compartment, space, poop, or deck house thereof, is greater than the number allowed to be carried or brought therein, respectively, as hereinbefore prescribed, the said master shall be fined fifty dollars for each and every passenger in excess of the proper number, and may also be imprisoned not exceeding six months. Amendatory of navigation act.

This section shall take effect on January first, nineteen hundred and nine.

SEC. 43. That the Act of March third, nineteen hundred and three, being an Act to regulate the immigration of aliens into the United States, except section thirty-four thereof, and the Act of March twenty-second, nineteen hundred and four, being an Act to extend the exemption from head tax to citizens of Newfoundland entering the United States, and all Acts and parts of Acts inconsistent with this Act are hereby repealed: *Provided*, That this Act shall not be construed to repeal, alter, or amend existing laws relating to the immigration or exclusion of Chinese persons or persons of Chinese descent, nor to repeal, alter, or amend section six, chapter four hundred and fifty-three, third session Fifty-eighth Congress, approved February sixth, nineteen hundred and five, or, prior to January first, nineteen hundred and nine, section one of the Act approved August second, eighteen hundred and eighty-two, entitled "An Act to regulate the carriage of passengers by sea." Repealing clause: Exceptions.

SEC. 44. That this Act shall take effect and be enforced from and after July first, nineteen hundred and seven: *Provided, however*, That section thirty-nine of this Act and the last proviso of section one shall take effect upon the passage of this Act and section forty-two on January first, nineteen hundred and nine. When effective.

Approved February 20, 1907. (34 Stat., pt. 1, p. 898.)

EXTRACT FROM THE SUNDRY CIVIL APPROPRIATION ACT APPROVED MARCH 4, 1909.[a]

"In all, one million two hundred and sixty-six thousand seven hundred and fifty dollars, *which shall include the amount necessary for the medical inspection of aliens, as required by section seventeen of the Act of Congress approved February twentieth, nineteen hundred and seven, and the provision of said section of said Act requiring the reimbursement by the immigration fund for said expenses is hereby repealed.*"

[a] Under caption "Public Health and Marine Hospital Service" (35 Stat., 969).

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ACT APPROVED MARCH 4, 1909.

AN ACT relative to outward alien manifests on certain vessels.[a]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That until the provisions of section twelve of the immigration Act of February twentieth, nineteen hundred and seven, relating to outward alien manifests, shall be made applicable to passengers going out of the United States to Canada by land carriage, said provisions shall not apply to passengers going by vessels employed exclusively in the trade between the ports of the United States and the Dominion of Canada and the Republic of Mexico.

Approved, March 4, 1909.

[a] 35 Stat., 1060.

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DEPARTMENT OF COMMERCE AND LABOR,
BUREAU OF IMMIGRATION AND NATURALIZATION.

Note: Meaning of terms employed.

NOTE.—Wherever, in the following rules, the expression "Immigration Act" is used, it shall be understood to refer to the act entitled "An act to regulate the immigration of aliens into the United States," approved February 20, 1907; and wherever a numbered section is mentioned it shall be understood to refer to the section of that number in said act, unless explicitly stated to the contrary.

Philippine Islands:

Regulations not applicable to.

The following rules do not apply to aliens seeking admission to the Philippine Islands, the administration of the immigration laws and the collection of head tax therein having been vested in the officers of the general government of those islands by section 6 of the act approved February 6, 1905.

RULES RELATING TO HEAD TAX.

Head tax:

Collection of;

RULE 1. *Collection of head tax.*—The head tax imposed by section 1 of the Immigration Act is to be levied and collected in respect of all aliens entering the United States, except such as are described in Rule 2 hereof.

Certification of, to collector;

Upon the arrival of any aliens at any seaport of the United States, the immigration officer in charge shall certify to the collector of customs the number of aliens on account of whom the tax is payable and the name of the person required to pay the same. Upon receipt of such certificate, the collector of customs shall forthwith collect a tax of four dollars for each alien so certified.

Deposit of;

Refundment of;

The tax collected on account of aliens, who are not permitted to land, but are held for examination by a board of special inquiry, and the tax collected on account of aliens permitted to enter for the purpose of passing in transit through the United States, shall be held as a special deposit, to be refunded, in the one case, when an alien detained for examination has been excluded, and in the other, when an alien proceeding in transit through the United States has left the country. The collections so

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made shall no longer be held on special deposit, but shall be accounted for in the regular manner, in the case of aliens detained for examination, so soon as it shall appear that they are admitted, and, in the case of aliens entering for the purpose of transit, if, at the expiration of sixty days from time of entry, it is not shown that they have passed out of the country. Head tax:

The head tax payable on account of aliens entering the United States from foreign contiguous territory shall be levied and collected, at Mexican border ports, according to the provisions of Rule 27 hereof, and at Canadian border ports according to the terms of an agreement between the Commissioner-General of Immigration and certain transportation companies, embodied in Rules 24 and 25 hereof. Collection of, on Mexican and Canadian borders;

RULE 2. *Exemptions from head tax.*—The head tax shall not be levied in respect of the following aliens: *Exemptions from—*

(*a*) Aliens who do not enter the United States because excluded from admission thereto by the Immigration Act. (Secs. 1 and 2.) Excluded aliens—

(*b*) Diplomatic and consular officers and other accredited officials of foreign governments, their suites, families, and guests coming to the United States to reside or to pass through in transit. (Sec. 41.) Diplomatic officers—

(*c*) Head tax shall not be collected on account of aliens entering the United States from Canada, Newfoundland, Cuba, or Mexico whose legal domicile or bona fide residence was in one of the countries specified for at least one year immediately preceding such entrance if it merely appears that the continuity of their physical presence at their place of residence or domicile was broken by one or more transient and temporary departures therefrom; nor shall head tax be collected on account of such aliens if it merely appears that, instead of entering the United States from Canada, Newfoundland, Cuba or Mexico directly, they come by way of some other foreign country in which they had made a merely temporary or transient sojourn. Residents Canada, Newfoundland, Cuba, and Mexico—

(*d*) Head tax shall not be collected on account of aliens reentering the United States from Canada, Newfoundland, Cuba, or Mexico who are citizens thereof but who have acquired a legal domicile or bona fide residence in the United States, and who are returning from a visit to one of the said countries, notwithstanding that the period of a full year has not intervened between the date of their departure from and the date of their return to the United States.

(*e*) Aliens, otherwise admissible, who are residents of any possession of the United States, provided at the time of admission to such possession head tax was paid on their account. (Sec. 1.) Residents insular possessions—

(*f*) Aliens who enter the United States only for the purpose of transit to foreign destinations. Collections made in respect of such aliens will be held on special de- Transits—

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Head tax:

posit and will be refunded pursuant to Rules 1 and 41. (Sec. 1.)

Aliens in continuous journey—

(*g*) Aliens who have been lawfully admitted to the United States and who later shall go in transit from one part of the United States to another through foreign contiguous territory. Satisfactory evidence of such previous lawful admission and of previous payment of head tax shall be required in the case of aliens on whose behalf this exemption is claimed, as in paragraphs (*c*) and (*d*) of this rule. Personal knowledge on the part of an immigration officer, or a written statement from such an officer based on an examination of official records certifying to the fact of previous entry and payment of tax, will be sufficient. As evidence of the continuity of the transit, production of a dated passenger ticket, where such exists, may be required. (Sec. 1.)

At ports of Guam, Porto Rico, and Hawaii.

(*h*) Aliens arriving in Guam, Porto Rico, or Hawaii; but if any such alien, not having become a citizen of the United States, shall later arrive at any port or place of the United States on the North American Continent the provisions for the levy and collection of head tax shall apply. (Sec. 1.)

Immigrant fund:

Accounting for receipts for.

RULE 3. *Accounting for head tax and other receipts.*—All moneys collected on account of head tax, as well as all moneys collected for rentals of exclusive privileges at United States immigrant stations and all moneys collected as fines for violations of the immigration laws (whether imposed by the Department or the courts), shall be deposited to the credit of the Treasurer of the United States on account of the "immigrant fund," with an assistant treasurer of the United States, or national-bank depositary, in the same manner as other miscellaneous collections are deposited. Separate accounts of the receipts and expenditures of money under the act shall be rendered monthly to the Secretary of the Treasury through the Department of Commerce and Labor on forms to be furnished by the Government for the purpose.

RULES RELATING TO ADMISSION OR EXCLUSION.

Immigration Act:

To whom applicable.

RULE 4. *Application of Immigration Act.*—The provisions of the Immigration Act apply to all aliens seeking to enter the United States, except accredited officials of foreign governments, their suites, families, and guests. The act also prescribes the conditions of their admission to or exclusion from the United States, or any waters, territory, or other place subject to the jurisdiction thereof, except the Isthmian Canal Zone. The act becomes effective when such aliens arrive from any foreign country, or other place without the jurisdiction of the United States, or from the Canal Zone. The provisions of the Immigration Act do not apply to aliens who have once been duly admitted to the United States or any waters, territory, or other place subject to the jurisdiction thereof,

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passing back and forth between the insular possessions and the continental territories of the United States, except aliens coming from the Canal Zone, and except Japanese or Korean laborers coming from Hawaii, with passports limited to Hawaii, Mexico, or Canada. The admission of aliens coming from the Canal Zone is governed by the regulations applicable to aliens generally; the admission of Japanese or Korean laborers to the continental territory of the United States is governed by the provisions of the Executive order of the President embodied in Rule 21 hereof.

Examination: Who excludable upon;

RULE 5. *Examination of aliens.*—No alien who falls within one of the classes of persons enumerated and defined in section 2 of the Immigration Act or in the Executive order embraced in Rule 21 hereof shall be admitted to the United States, nor (with the exception of the Isthmian Canal Zone) to any waters, territory, or other place subject to the jurisdiction thereof. Every alien seeking to enter the United States, as thus defined, who does not fall within any of the classes so enumerated, shall be admitted.

Children under 16;

Children under sixteen years of age, unaccompanied by one or both of their parents, shall not be permitted to enter the United States, if it appears, or the circumstances indicate, that they are to be placed in forced or "padrone" servitude or in any employment unsuited to their years.

Primary inspection;

Every alien arriving at a port of the United States shall be promptly examined, as by law provided, either on shipboard or at some other place designated for that purpose. Every alien who may appear to the examining immigrant inspector to be clearly and beyond doubt entitled to land shall be at once admitted; every alien who may not appear to be clearly and beyond a doubt entitled to land shall be detained for examination by a board of special inquiry, which examination shall be promptly conducted separate and apart from the public, and, upon the conclusion thereof, the alien shall be either immediately landed or ordered excluded and returned to the country whence he came. If an appeal lies, the alien shall be informed of his right thereto, and the fact that he has been so informed shall be entered of record in the minutes of the board's proceedings. If the alien elects to appeal, he must, to enable officers to comply with the provisions of section 19, file notice of such appeal not less than forty-eight hours prior to the sailing of the first vessel by which his return may be effected, unless such sailing occurs less than forty-eight hours after the order of deportation is made. But in no event shall an appeal be considered after an alien has, in consequence of an adverse decision of a board of special inquiry, been transferred from an immigrant station to be excluded, unless such transfer has been made to prevent congestion, or danger of contagion, as provided by Rule 8 hereof.

Board special inquiry inspection.

Appeals: Notifying alien of right to; Filing notice of;

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Appeals:
Notice to steamship company;

If an alien, rejected on account of disability or disease, or because insane or mentally defective, is in such physical or mental condition as to require special care and attention during the ocean voyage and land trip of deportation, the commissioner or inspector in charge shall, when delivering such rejected alien into the custody of the master or first or second officer of the vessel by which deportation is to be effected, furnish such officer with a statement of particulars (Form No. 597) and accompanying receipt and returns, for use in accordance with the provisions of Rule 37 hereof, all applicable requirements of which rule shall be observed. In the cases of aliens rejected by boards of special inquiry, or by the Department on appeal, the commissioner of immigration or inspector in charge shall, as promptly as circumstances permit, notify the steamship line by a vessel of which the alien is to be deported, furnishing full particulars as to the cause of rejection, and, if the alien is diseased, disabled, or insane, a statement of the alien's condition.

When permissible;

RULE 6. *Appeals.*—Except as specified in this rule, an appeal may be taken by the alien himself or by a dissenting member of the board from any decision of a board of special inquiry which determines whether an alien shall be admitted or excluded. No appeal is permissible when the decision of the board rejecting an alien *is based upon* a certificate of the examining medical officer which shows—

When not permissible; because decision is based on medical certificate;

(*a*) That the alien is afflicted with tuberculosis or with a loathsome or dangerous contagious disease;

(*b*) That the alien is an idiot, an imbecile, an epileptic, or is insane or feeble-minded;

(*c*) That the alien has been insane within five years previously, or has had two or more attacks of insanity at any time previously;

(*d*) That the alien has any *mental* defect which in the board's opinion may affect his ability to earn a living or render him likely to become a public charge;

(*e*) That the alien has any *physical* defect which in the board's opinion may affect his ability to earn a living or render him likely to become a public charge; but aliens coming within this class may nevertheless be admitted, in the discretion of the Secretary, as provided in Rule 20 hereof.

Discretion of board of inquiry under section 10;

Boards of special inquiry in reaching decisions "based upon the certificate of the examining medical officer" are to be governed by the following considerations: It is "the decision of the board of special inquiry" which is made unappealable in certain cases by section 10, and not "the certificate of the examining medical officer." In arriving at a decision, therefore, the board is required to exercise its own discretion in determining whether or not it will "base" the same upon the certificate of the examining medical officer. Where the decision of the board is

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Appeals:

expressly "based" upon medical certificates of the character specified by section 10, no appeal is allowed by the act. But whether the board will so "base" its decision will naturally depend upon the circumstances of the case. Thus—

Circumstances determining whether board's decision shall be based on medical certificate, and whether case shall be decided by board subject to appeal or shall be considered an application for bond.

When the medical certificate shows that an alien is affected with tuberculosis or with a loathsome or dangerous contagious disease, or when it shows that an alien is an idiot, an imbecile, or an epileptic, or is insane or feeble-minded, the board of special inquiry, in the absence of competent and convincing evidence to the contrary, is virtually forced to "base" its decision upon that certificate, the reason being that whether or not an alien is so affected is purely a matter of medical science and not such a matter as to which a board of laymen can be expected to reach an intelligent conclusion.

Where the medical certificate states that an alien is affected with any mental defect or physical defect (other than those just named), either of which defects is of a nature that might affect the ability of the alien to earn a living or make him likely to become a public charge, or when the medical certificate states that the alien has been insane within five years previously, or has had two or more attacks of insanity at any time previously, the question to be determined is a practical one quite as much as a medical one, and boards of special inquiry should not only receive and carefully consider the certificate of the medical officer, but should likewise consider all the facts and surrounding circumstances of the case, and from the case as a whole reach their own conclusion as to whether the defect is of a nature which may, considering all the circumstances of the case, affect his ability to earn a living or render him likely to become a public charge, or whether the alien has actually been afflicted in the past.

If the defect for which certified is *physical*, not *mental*, and, on consideration of the whole case, the board's decision is that such physical defect is one which may affect his ability to earn a living or render him likely to become a public charge, and the alien is otherwise admissible, he should be given an opportunity to make application for landing under bond in accordance with Rule 20.

Application for landing under bond and Appeals:

If, on the other hand, the board's conclusion is that the defect is not of such a nature as to affect the ability of the alien to earn a living or render him likely to become a public charge, considering all the facts surrounding his case, and that the alien is otherwise admissible, the board should land the alien unconditionally; or, if the board's conclusion is that the alien should be rejected, not solely because of the certificate but on the basis of all the facts and circumstances, the alien should be rejected and advised of his right to appeal in the usual manner.

Distinction drawn between.

To summarize so much of the foregoing as relates to the distinction between *appeals* and applications for admission under *bond:*

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When a board concludes that an alien is "liable to be excluded because likely to become a public charge or because of physical disability other than tuberculosis or a loathsome or dangerous contagious disease," and such conclusion is not based *solely upon the medical certificate, the board should render a decision, from which decision the alien has the right of appeal.*

But when the board reaches such conclusion upon the basis solely *of the medical certificate, no decision should be rendered, but the alien should be given an opportunity to apply for admission under bond in accordance with Rule 20.*

Appeals:
Notice of, to act as stay of deportation;

RULE 7. *Appeals, procedure.*—Notice of appeal shall act as a stay of all proceedings until a final decision is rendered by the Secretary; and, within forty-eight hours after the filing of such notice, the complete record of the case shall be forwarded to the Commissioner-General of Immigration by the immigration officer in charge at the port of arrival, accompanied by his views thereon in writing; but on such appeal of any case to the Secretary no evidence will be considered which has not already been passed upon in said case by a board of special inquiry at the original hearing, or upon a rehearing if so ordered. (See sec. 25.) If, to prevent a miscarriage of justice, additional time is granted to the friends or counsel of an appealing alien, the said immigration officer may require the deposit of a sum of money sufficient to defray the cost of maintaining appellant during the additional time thus allowed.

Evidence considered on;

Granting additional time for;

Making record of;

RULE 8. *Appeals, procedure.*—The commissioner of immigration or the immigration officer in charge at the port of landing shall enter of record the name of every alien found upon examination to be within any of the prohibited classes, with a statement of the decision in each case; and if such decision be appealed from immediately upon the receipt from the Department of its conclusions thereupon the alien shall be landed or deported in accordance with such conclusion. If a landing is refused on appeal, the master, agent, consignee, or owner of the vessel by which the said alien arrived shall be notified by the commissioner or officer in charge, and advised that the alien will be placed aboard the vessel of the line involved next sailing, for deportation. The commissioner or officer in charge at a port of entry where a detention station is located may, immediately upon exclusion, place debarred aliens on board the vessel by which they are to be deported, if in his judgment such action is necessary to prevent congestion or danger of contagion in such station. (See Rule 5.)

Notifying steamship of dismissal of.

Medical examination:
What surgeons to conduct;

RULE 9. *Medical examination.*—Officers of the United States Public Health and Marine-Hospital Service (or, if such officers are not available, civil surgeons of not less than four years' professional experience) are required by section 17 of the Immigration Act to make a physical and

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mental examination of all arriving aliens, and to certify for the information of immigration officers any and all physical and mental defects or diseases observed by them. Every officer of such Service detailed for this duty shall, subject to the instructions of the Surgeon-General of the Public Health and Marine-Hospital Service, be under the direction of the immigration officer in charge of the port to which he may be detailed. Medical examination:

The certificate of the medical officer shall state the physical or mental defect or disease observed, specifying the name by which it is known in common speech as well as the name by which it is known in medicine; and the certificate shall also state: *Certificates covering, contents of—*

(*a*) Where an alien is certified as having been insane within five years previous, or as having had two or more attacks of insanity at any time previously, how the previous existence of the malady has been ascertained (sec. 2); Insane within 5 years;

(*b*) Where an alien is certified as being afflicted with a loathsome or dangerous contagious disease, that the disease named is in fact a loathsome or dangerous contagious disease, and is or is not of a quarantinable nature (secs. 2, 19); Contagious diseases;

(*c*) Where an alien is certified as having a mental or physical defect of a nature which may affect his ability to earn a living, or as being likely to become a public charge by reason of any mental or physical disability, the bearing of such mental or physical shortcoming upon the customary occupation of the alien and upon his general capacity for useful employment, whether such defect is of a temporary or permanent nature, and whether the deficiency of the alien has been corrected by artificial or educational means (secs. 2, 10, 26); Mental and physical defects;

(*d*) Where an alien is certified for permission to land for medical treatment in any hospital of the United States, or where it is certified that the health or safety of an insane alien would be unduly imperiled by immediate deportation, that the alien is not suffering from tuberculosis or from a loathsome or dangerous contagious disease of a nonquarantinable nature, and the probable duration of the alien's detention in hospital, asylum, or elsewhere (sec. 19); When hospital treatment required;

(*e*) Where an alien is certified as being helpless from sickness, mental or physical disability, or infancy, whether such alien requires the protection or guardianship of an attendant (secs. 11, 21); For helplessness;

(*f*) Where the wife or minor children of a domiciled alien are certified as being affected with any contagious disorder, whether such disorder is a loathsome or a dangerous one, the probable length of time needed to determine whether the disorder will be easily curable, and whether they can be permitted to land without danger to other persons (sec. 37); and Wives and minor children;

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Medical examination:

Certificates covering, contents of—

Persons afflicted at time foreign embarkation.

(*g*) Where an alien is certified as being an idiot, imbecile, epileptic, or afflicted with tuberculosis or with a loathsome or dangerous contagious disease, whether the alien was so afflicted at the time of foreign embarkation, whether the existence of the disease or disability might have been detected by means of a competent medical examination at such time, how the previous condition of the alien has been ascertained, and the ground for believing that it might have been detected by a competent examination.

Landing for hospital treatment:

Conditions under which permissible;

RULE 10. *Landing for hospital treatment.*—(*a*) Where an alien has been excluded by decision of a board of special inquiry and the order for the return of the alien has been suspended, or where an alien is held, pending the determination of his case, by order of court, to await transportation, on account of his health, because his testimony is required in the prosecution of offenders against the act, or for some other cause, an application may be made, accompanied by the certificate of the medical examiner, to the Secretary of Commerce and Labor for permission to allow the landing of the alien for hospital treatment or other appropriate care or attention.

Evidence required, in urgent cases—

(*b*) Such an application will be granted as of course where it is certified by the medical examiner that the health or safety of an insane alien would be unduly imperiled by immediate deportation, or where it is manifest to the commissioner of immigration, or the immigration officer in charge, that the condition of the alien requires immediate hospital treatment. In such cases, pending the decision of the Secretary, hospital treatment or other appropriate care or attention shall be immediately afforded.

—in other cases;

(*c*) In all other cases the application will not be granted unless it clearly appears from the report of the commissioner of immigration, or the immigration officer in charge, or from other evidence accompanying the application, that such a course is necessary to meet the ends of justice and humanity.

By "express permission" of Secretary—

(*d*) Applications to land for medical treatment in a hospital of the United States by the "express permission" of the Secretary, made by or on behalf of aliens certified to be suffering from tuberculosis or from a loathsome or dangerous contagious disease (sec. 19), must be accompanied by a certificate of a Public Health and Marine-Hospital surgeon showing the exact character and extent of the malady with which the alien is suffering and estimating the duration of the treatment that will be required to effect a cure. The alien making the application, or the person making it in his behalf, shall deposit with the commissioner of immigration, or inspector in charge, a sum of money sufficient to cover the cost of affording the alien treatment for the period of time estimated in the above-mentioned certificate (and give satisfactory assurances that further deposit will be remitted

Evidence required—

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if needed), if such estimated period does not exceed sixty days; and, in the event the estimate is for more than said time, a deposit shall be made sufficient to cover treatment for sixty days, and satisfactory assurances given that at least fifteen days prior to the expiration of said period a further deposit will be made sufficient to cover cost of treatment for thirty days additional and a remittance of a similar amount fifteen days prior to the expiration of the period covered by this deposit, and so on until the alien is cured and allowed to proceed, or the case otherwise disposed of. The said alien, or person interested in his behalf, shall also be advised that failure in any instance to comply with this requirement will result in deportation by the next sailing of the line involved. There shall also be deposited by the alien, or by the person making the application in his behalf, a sum of money (or transportation ticket and money) sufficient to defray the expense of forwarding the alien, if and when eventually cured, to his destination within the United States; and, in the event that such alien is a person who, by reason of infancy or other cause, will require the care of an attendant while traveling, such deposit shall be sufficient to also cover the expense of detailing an employee of the Immigration Service to accompany the alien to his destination, and the cost of the return of such employee to his or her station, or satisfactory assurances must be given that such an attendant will be furnished by the person making the application. The certificate above mentioned shall be forwarded to the Bureau of Immigration and Naturalization, accompanied by a report of the circumstances of the case, sufficiently detailed to enable the Department to determine whether there are present any peculiar conditions that render the exercise of its authority necessary to meet the ends of justice and humanity. Such report shall also show whether the deposits and assurances hereinbefore mentioned have been made and given, describing the character of the assurances. If the application is granted by the Department the alien will be permitted to enter a hospital for treatment. Should such treatment extend over a period exceeding sixty days and the deposit to cover any succeeding thirty-day period not be promptly forthcoming as above required, the fact of such failure shall be immediately reported to the Department in order that instructions for the deportation of the alien may issue. When any alien so detained is cured and allowed to proceed to destination, such amount as remains unexpended of the deposit or deposits made on his account shall be returned to the depositor and his receipt taken therefor.

Landing for hospital treatment:

By "express permission" of Secretary—

Deposits required—money and transportation;

Procedure regarding alien and deposits;

(*e*) The landing or detention of an alien for the purpose contemplated by this rule shall not be construed in any manner to alter the status of the alien with reference to his right to enter or remain in the United States. (Sec. 19.)

Not admission.

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Wives and children of domiciled aliens: Landing of, for treatment; Evidence required.

RULE 11. *Detention of sick wives or children.*—Where, upon the arrival of the wife or minor child or children sent for by a domiciled alien, or of the minor child or children of a naturalized citizen, born abroad prior to his naturalization, such wife, child, or children are found to be afflicted with a contagious disorder and it can not be immediately determined whether the disorder will be easily curable, they shall be held until a determination can be had, and an application may be made, accompanied by the certificate of the medical examiner, to the Secretary of Commerce and Labor for permission to allow the landing of such wife or child for hospital treatment or other appropriate care or attention. In such cases, where necessary, pending the decision of the Secretary, hospital treatment or other appropriate care or attention shall be immediately afforded. This application or the accompanying papers must clearly show that the husband or father has actually taken up his permanent residence in this country and has actually filed his declaration of intention to become a citizen of the United States, or has actually been naturalized, and that he is in fact the husband or father of the alien in question. Nothing contained herein shall be taken as in any manner affecting the liability of transportation companies under section 9, or as altering the status of the aliens concerned with reference to their admission or exclusion. (See sec. 37, and Rules 10 and 12.)

Helpless aliens: Guardian en voyage for, when deported.

RULE 12. *Detention of attendants for helpless aliens.*—Where it is found that an alien is helpless from sickness, mental or physical disability, or infancy, and that, if excluded, he will require the protection and guardianship of an attendant upon his return to the country whence he came, if the alien arrives accompanied by others, not more than one of such accompanying aliens (preferably a natural guardian or relative) shall be detained to act if, in the judgment of the commissioner of immigration or the immigration officer in charge, such detention is necessary. Such detention shall not be deemed necessary, but is permissible, in quarantinable cases. If the alien arrives unaccompanied, a suitable person shall be employed for the purpose. The expense incident to such detention or employment and to the transportation involved shall be borne by the transportation company. (Secs. 11, 19, 21.)

Disabled aliens: Hospital treatment of;

RULE 13. *Detention and treatment of aliens, procedure and expense of.*—(*a*) A disabled alien, within the purview of Rules 10, 11, and 12 hereof, may be afforded the required medical treatment on board ship or in the detention quarters, or may be removed to a suitable hospital for treatment, as in his discretion the commissioner of immigration or inspector in charge at the port may decide is required by existing circumstances and the condition of the alien's health as reported upon by the surgeon charged

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with the medical examination of aliens at such port. If such an alien is removed to a hospital he shall not be regarded as in any sense landed, and the cost of his maintenance and care there must be borne in one of the several ways hereinafter specified, as the circumstances of the case may require. Disabled aliens;

(*b*) If in the judgment of the commissioner or inspector in charge, based upon the expressed opinion of the medical examiner, it is necessary as a measure of humanity or for the proper care of an alien removed to hospital to also place in the hospital a suitable attendant or some person who is dependent upon the disabled alien, or the reverse, the cost of the detention in hospital of such additional person must be borne in the same manner as the cost of treating the disabled alien. Attendants for;

(*c*) The expenses involved in detaining or treating aliens shall be borne as follows: (1) *By the immigrant fund.*—In cases of (*aa*) Those held as witnesses under section 19 and Rule 14; (*bb*) Insane aliens whose health or safety would be unduly imperiled by immediate deportation (sec. 19); (*cc*) Wives and minor children of aliens who have declared intention, or minor children of naturalized citizens born abroad prior to naturalization of parent (sec. 37 and Rule 11; Op. Compt., Jan. 15, 1908). (2) *By the alien.*—Those treated by "express permission" of the Secretary, under section 19, although afflicted with tuberculosis or a loathsome or dangerous contagious disease, in accordance with the provisions of Rule 10 (Op. Compt., Jan. 15, 1908). (3) *By the alien, preferably, but by immigrant fund under special authority.*—Aliens whom it is necessary for any reason to hold at a port of entry, *after admission*, in accordance with Rule 15. (4) *By steamship companies.*—Aliens not falling within any of the foregoing classes whom it is necessary for any reason to hold or to treat in hospital *pending determination* of right to land, or awaiting deportation under order of rejection of a board of special inquiry or of the Department (sec. 19). Expenses of hospital care of;

(*d*) Covering cases of the character mentioned in class (4) of the preceding paragraph, bills for hospital treatment and maintenance shall be rendered monthly by hospitals against the steamship companies responsible, through the office of the commissioner of immigration or inspector in charge, the latter's approval to be attached to the bills, if found correct, before forwarding them to the companies for settlement. Officers of the Immigration Service will in all such cases look to the steamship companies for settlement of the hospital bill. If any steamship company refuses to pay such bills rendered with the approval of the immigration officials, it will, of course, be necessary to require thereafter that all aliens brought by the vessels of such company shall be held on board ship until their applications for admission have been finally adjudicated. Bills for hospital treatment of; Refusal to pay for treatment of.

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Witnesses:
Holding aliens to act as.

RULE 14. *Holding of aliens as witnesses.*—When it is thought that the deportation of an excluded alien should be suspended so that his testimony may be had in a prosecution of offenders against the Immigration Act, in reporting to the Bureau the violation of law involved, immigration officials should give reasons for the belief that the violators should be prosecuted and the aliens held as witnesses, and if such reasons are found sufficient, authority will issue, with the approval of the Secretary, for the holding of the witnesses at the expense of the "immigrant fund." (Sec. 19.)

Assisting and protecting aliens:
Providing means in case of accident.

RULE 15. *Assistance to admitted aliens.*—Any alien who has been admitted may be permitted to wait for friends or remittances upon payment by him of the actual expenses incurred by reason of such delay. In case such an alien is unable, from accident or other unavoidable circumstances, to immediately continue his journey, and is without sufficient means to defray the expense of his enforced delay, the commissioner of immigration may, in his discretion, pay said expense, reporting said case to the Bureau of Immigration and Naturalization, with reasons for his action, and request that such expense be repaid out of the "immigrant fund."

Charges for care and maintenance:
Not to exceed actual cost.

RULE 16. *Charges for care and maintenance.*—At ports where the Immigration Service maintains hospitals no charge for food, lodging, or maintenance, or for hospital attendance, medicines, or other hospital expenses shall be made in excess of the actual cost of furnishing the same, the intention being to make the Service self-supporting without profit.

Members of boards of special inquiry:
Oath to be taken by.

RULE 17. *Oath, board of special inquiry.*—Any immigration or other Government officer appointed to serve on a board of special inquiry under the provisions of section 25 of the Act approved February 20, 1907, shall be required to subscribe to the following oath:

FORM 566. DEPARTMENT OF COMMERCE AND LABOR,
IMMIGRATION SERVICE.

I, _____, having been designated by _____ _____ to serve as a member of a board of special inquiry, under the provisions of section 25 of the act of Congress approved February 20, 1907, do solemnly _____ that I will use my best endeavors as a member of such board to enforce the laws of the United States relating to the admission or exclusion of certain classes of aliens, and that I will well and faithfully discharge the duties of the office mentioned.

_____ and subscribed before me this _____ day of _____ _____, A. D. 19__.
[Official seal.] _____

Attorneys:
Fees to be charged by;

RULE 18. *Appearance of attorneys.*—Attorneys and persons appearing in behalf of detained aliens shall not be permitted to charge a sum exceeding ten dollars in each case unless the commissioner or officer in charge shall, in

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writing, allow an additional compensation. A family or party of aliens traveling together shall be regarded as constituting a "case" within the meaning hereof. If for any special reason an attorney deems himself entitled to a larger fee, or if it is actually necessary for such attorney to incur expense in an alien's behalf, he shall report such facts to the commissioner or officer in charge when applying for the privilege of charging an additional fee or claiming reimbursement for expenses, and, if permission is granted, shall collect such additional fee or expenses only through the commissioner or officer in charge. Anyone charging an alien a fee prior to his detention, or charging or receiving from an alien or his relatives or friends a fee, gift, or compensation for his services in excess of the above rate, except in the manner provided, or who shall deprive an alien of any part of his chattels or effects in lieu of, or as security for, said fee, will, upon reasonable proof of such misconduct, and after having been allowed a fair opportunity to answer the charge, be disbarred by the Department (to which a full report of the matter shall be made) from practicing at any immigration station of the United States. The names and addresses of attorneys or other persons so disbarred shall be conspicuously posted at the immigration station where the misconduct occurred and their names recorded in the office of the Commissioner-General of Immigration.

Attorneys:
Method of disbarring for misconduct;
Keeping record of.

RULE 19. *Notice of sailings.*—The master, agent, owner, or consignee of any vessel on which aliens are brought to the United States shall, at least twenty-four hours in advance thereof, notify the commissioner of immigration or officer in charge of the intended time of sailing of such vessel, in order that such officer may place on board the vessel every alien brought thereon who has been finally refused a landing.

Notice of sailings:
Masters of vessels to give.

RULE 20. *Admissions under bond.*—If, in following the provisions of Rule 6 hereof relating to appeals, *the board of special inquiry reaches the conclusion* that an alien in whose case a medical certificate for some *physical* defect, other than tuberculosis or a loathsome or dangerous contagious disease, has been rendered *is* excludable solely because such certified physical defect is, in the board's opinion, "of a nature which may affect the ability of such alien to earn a living," or render him liable to become a public charge, but that such alien is otherwise admissible, and, after notice of his right to do so, the alien signifies an intention to apply for admission under bond, the board shall not enter an excluding decision against the alien as in other cases, but shall make a special finding of fact in the premises and report the same, including the certificate of the medical examiner, to the immigration officer in charge, who shall forward the report, together with his recommendation, to the Secretary of Commerce

Admissions under bond:
Cases in which permissible;
Procedure for;

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Admissions under bond: and Labor, through the Commissioner-General of Immigration. (See secs. 10 and 26 and Rule 6.)

Amount of bond; If, in the exercise of the discretion conferred by law, the Secretary decides to admit the alien, a bond will be required in an amount which in no case shall be less than five hundred dollars. The sureties thereto shall be parties of known and ascertained responsibility and approved by the commissioner of immigration or immigration officer in charge. The bond shall be executed in duplicate on forms supplied by the Bureau, but shall not be accepted until landing of the alien under bond is authorized by the Department.

Sureties on bond;

Bond to be in duplicate;

Procedure if bond not forthcoming. If, within a reasonable time, not to exceed thirty days, after the receipt of the Department's authority for the landing of an alien under bond, there is not forthcoming bond with acceptable sureties, that fact, and all others that may have a bearing upon the matter, shall be reported to the Department, with request for instructions; and if in any such case the former decision of the Department is reversed, the alien shall then be formally rejected by the board.

Japanese and Korean laborers: RULE 21. *Japanese and Korean laborers.*—The following rule is promulgated for the purpose of giving effect to an Executive order of the President issued on March 14, 1907, reading:

President's proclamation concerning; Whereas, by the act entitled "An act to regulate the immigration of aliens into the United States," approved February 20, 1907, whenever the President is satisfied that passports issued by any foreign government to its citizens to go to any country other than the United States or to any insular possession of the United States or to the Canal Zone, are being used for the purpose of enabling the holders to come to the continental territory of the United States to the detriment of labor conditions therein, it is made the duty of the President to refuse to permit such citizens of the country issuing such passports to enter the continental territory of the United States from such country or from such insular possession or from the Canal Zone;

And Whereas, upon sufficient evidence produced before me by the Department of Commerce and Labor, I am satisfied that passports issued by the Government of Japan to citizens of that country or Korea and who are laborers, skilled or unskilled, to go to Mexico, to Canada and to Hawaii, are being used for the purpose of enabling the holders thereof to come to the continental territory of the United States to the detriment of labor conditions therein;

I hereby order that such citizens of Japan or Korea, to wit: Japanese or Korean laborers, skilled and unskilled, who have received passports to go to Mexico, Canada or Hawaii, and come therefrom, be refused permission to enter the continental territory of the United States.

It is further ordered that the Secretary of Commerce and Labor be, and he hereby is, directed to take, through the Bureau of Immigration and Naturalization, such measures and to make and enforce such rules and regulations as may be necessary to carry this order into effect.

Subject to general immigration laws; (*a*) Aliens from Japan and Korea are subject to the general immigration laws.

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Japanese and Korean laborers: Limited passports held by;

(*b*) Every Japanese or Korean laborer, skilled or unskilled, applying for admission at a seaport or at a land-border port of the United States and having in his possession a passport issued by the Government of Japan, entitling him to proceed only to Mexico, Canada, or Hawaii, shall be refused admission.

Presumptions concerning;

(*c*) If a Japanese or Korean laborer applies for admission and presents no passport, it shall be presumed (1) that he did not possess when he departed from Japan or Korea a passport entitling him to come to the United States, and (2) that he did possess at that time a passport limited to Mexico, Canada, or Hawaii.

Passports to U. S. or unlimited;

(*d*) If a Japanese or Korean alien applies for admission and presents a passport entitling him to enter the United States or one which is not limited to Mexico, Canada, or Hawaii, he shall be admitted, if it appears that he does not belong to any of the classes of aliens excluded by the general immigration laws.

Evidence as to status of;

(*e*) If a Japanese or Korean alien applies for admission and presents a passport limited to Mexico, Canada, or Hawaii, and claims that he is not a laborer, either skilled or unskilled, reasonable proof of this claim shall be required in order to permit him to enter the United States.

Appeal by;

(*f*) When a Japanese or Korean alien is rejected as being a skilled or unskilled laborer holding a passport limited to Mexico, Canada, or Hawaii, he shall be allowed the right of appeal to the Secretary of Commerce and Labor under the same conditions as attach to aliens rejected under the general immigration laws.

Arrest of;

(*g*) If a Japanese or Korean skilled or unskilled laborer is found in the continental territory of the United States without having been duly admitted upon inspection, the procedure employed under the general immigration laws for the arrest and hearing of aliens who have entered the United States surreptitiously shall be observed, to the end that the right of such alien to be and remain in the United States may be determined; and if it shall appear that such alien falls within the class excluded by the foregoing Executive order, and has entered the United States since the 14th of March, 1907, the said alien shall be deported according to the provisions of sections 20, 21, and 35 of the act of Congress approved February 20, 1907.

Deportation of;

Right of, to communicate with diplomatic officers;

(*h*) In case any Japanese or Korean is detained or denied admission by virtue of the foregoing Executive order, he shall, in addition to being informed of his right of appeal to the Secretary of Commerce and Labor, be advised that he may communicate by telegraph or otherwise with any diplomatic or consular officer of his Government, and shall be afforded opportunities for so doing.

Courtesy and consideration due to;

(*i*) The officials of the Department charged with the enforcement of the immigration laws are instructed that in the execution of this rule scrupulous care shall be

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Japanese and Korean laborers:

taken to see that the courtesy and consideration which the Department requires in the case of all foreigners, of whatever nationality, are shown to those affected by this rule. All officers of this Department are hereby warned that no discrimination will be tolerated, and that those coming under this rule must be shown every courtesy and consideration to which the citizens of most favored nations are entitled when they come to the United States.

Definition of term "laborer, skilled and unskilled;"

(*j*) For practical, administrative purposes, the term "laborer, skilled and unskilled," within the meaning of the Executive order of March 14, 1907, shall be taken to refer primarily to persons whose work is essentially physical, or, at least, manual, as farm laborers, street laborers, factory hands, contractors' men, stable men, freight handlers, stevedores, miners, and the like; and to persons whose work is less physical, but still manual, and who may be highly skilled, as carpenters, stone masons, tile setters, painters, blacksmiths, mechanics, tailors, printers, and the like; but shall not be taken to refer to persons whose work is neither distinctively manual nor mechanical, but rather professional, artistic, mercantile, or clerical, as pharmacists, draftsmen, photographers, designers, salesmen, bookkeepers, stenographers, copyists, and the like. The foregoing definition is subject to change, and will not preclude the Secretary of Commerce and Labor from deciding each individual case which comes to him by way of appeal in accordance with the particular facts and circumstances thereof.

Indorsement of passports.

(*k*) Passports presented by Japanese and Koreans shall be plainly indorsed, in indelible ink, by the officer admitting or rejecting the applicant, in such a manner as to show the fact and date of admission or rejection, the name of the officer being signed to such indorsement; after which the passport shall be returned to the person by whom presented.

Seamen:

RULE. 22. In consideration of the necessities of commerce and navigation, it has been held that foreign seamen arriving at the ports of the United States, and landing therein in the pursuit of their calling, are not ordinarily within the operation of the immigration act (23 Op. Atty. Gen., 521; 207 U. S., 120). But in order that this exemption shall not avail to permit the introduction into the United States of aliens excluded therefrom by the said act, it is necessary to observe the following distinctions between foreigners who are seamen and other aliens:

Why examination of necessary;

Who are seamen;

A seaman is any person employed to serve in any capacity on board any vessel plying between foreign ports and ports of the United States, whose occupation consists in following the sea, and who lands in the United States with no intention of remaining, and not otherwise than on shore leave, or on the business of his vessel, or for the purpose of reshipping.

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Seamen:

In coastwise trade;

Aliens, members of the crew of vessels engaged in the coastwise trade of the United States, are aliens within the meaning of the immigration act and subject to its provisions (Ops. Solr., June 14, 1907, and Sept. 16, 1907).

Discharged;

Aliens, though members of the crew of vessels engaged in the foreign trade, if their employment terminates at the end of the voyage to the United States, or if discharged in a port of the United States, are to be treated as seamen only if it appears that they intend to reship on a vessel bound to a foreign port, or to depart from the country within a reasonable time.

Deserting;

Aliens, though members of the crew of vessels engaged in the foreign trade, if they desert their ship, shall, until the contrary is shown, be deemed to have abandoned their calling, and to be no longer seamen, within the meaning of this rule.

Found in United States otherwise engaged;

Aliens, though landing in the United States as seamen, if found thereafter engaged in any occupation not connected with the business of a vessel to which they are attached, or if found to be public charges, shall be treated as other aliens are treated, and shall be liable to deportation in like manner and for like causes.

Application of act to;

In the application of the immigration act to aliens, members of the crew of vessels engaged in the foreign trade of the United States, the following instructions will be observed:

General procedure regarding—

To what extent examined;

(*a*) Aliens coming to the United States as members of the crew of any vessel, who are found to be seamen as herein defined, shall not be examined by officers of the Immigration Service further than may be necessary to determine their status as seamen, and to ascertain that they are not insane, idiots, imbeciles, epileptics, or persons afflicted with tuberculosis or with a loathsome or dangerous contagious disease; head tax shall not be certified on their account; they shall not be prevented from landing temporarily in the United States, nor required to land at any designated time or place; neither shall any manifest of them be required, nor shall they necessarily be returned to the country whence they came by the vessels bringing them. Alien seamen, however, who are insane, idiots, imbeciles, epileptics, or persons afflicted with tuberculosis or with a loathsome or dangerous contagious disease, and the existence of whose disease or disability might have been detected by means of a competent medical examination at the time of foreign embarkation, are persons whose employment on board vessels is in nowise necessary to commerce and navigation, and who are, accordingly, not within the exception in favor of seamen, because not within the reason thereof. The bringing of such seamen to the United States, therefore, is unlawful by the terms of section 8.

If mentally or physically afflicted, not considered *bona fide;*

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Seamen:

All seamen to be primarily inspected;

(*b*) All aliens coming to the United States as members of the crew of a vessel, who, for any of the reasons hereinbefore mentioned, are found not to be seamen as herein defined, shall in no respect be distinguished, by reason of their present employment, from other aliens seeking admission into the United States; but it shall be the duty of the inspectors and medical officers detailed for the purpose to determine whether such aliens are clearly and beyond doubt entitled to land, and to hold for examination by a board of special inquiry such as are not so entitled, and to follow the same procedure as in the case of alien passengers seeking to land, including the certification of head tax on account of those landed.

If not *bona fide*, must not be landed;

(*c*) In case any alien employee of a vessel is found by the immigration officials not to be a *bona fide* seaman seeking to land in the pursuit of his calling, and is declared by such officials inadmissible under the immigration act, the master, owner, agent, or consignee of such vessel will be required, subject to the penalties imposed by said act, to prevent the landing of such inadmissible alien and to return him to the country whence he came.

Head tax not assessable on if *bona fide;*

(*d*) Head tax shall not be assessed on account of *bona fide* seamen landing in the pursuit of their calling. On account of such as are discharged with the intent to remain in the United States, and on account of those who are found or shown to have deserted and remained in the United States, the head tax shall be assessed.

Manifests of not *bona fide;*

(*e*) Of such aliens employed on board vessels as are found by the immigration officials not to be *bona fide* seamen, or not to be seeking to land in the regular course of their pursuit with intent to continue their calling, the immigration officials shall prepare lists, in lieu of manifests, for use in compiling statistics, indicating in such lists that the alien applicants therein enumerated arrived at the port as employees of a vessel.

Procedure if ill and law of vessel's country requires return home;

(*f*) If, upon the arrival of a vessel from a foreign port, it is discovered that any alien member of the crew of such vessel is ill or disabled to such an extent as to make it obligatory upon the master of the vessel, under the navigation laws of the country to which the vessel belongs, to return the seaman to the country where he embarked, immigration officials shall confer with the master and with the consular representative of the country to which the vessel belongs, with the object of perfecting plans by which the master may be able to observe the laws of his own country without making possible or encouraging a violation of the immigration laws of the United States. If the disabled seaman relinquishes his calling, he shall be treated like any other alien seeking admission to the United States; and if, upon being brought before a board of special inquiry, his rejection

Care to be exercised concerning, when ill and allowed transit;

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Seamen:

ordered the master of the vessel shall be required to turn him by such vessel, or at his own expense, to the untry where he embarked. If the seaman does not linquish his calling, or if the master desires to return m otherwise than by the vessel on which he arrived, will be permissible for him to pass through the United ates, in transit to the country where he embarked, by e most expeditious and direct route: *Provided*, That f he is suffering with a loathsome or dangerous con-gious disease, or with tuberculosis, or is in such physi-l or mental condition as to render him a person likely become a public charge or otherwise inadmissible) rangements are made for his proper care while passing rough the country, and a sum of money sufficient to efray the expenses thereof is furnished by the master f the vessel. This being a provision made in the interest f trade, and because of the peculiar position occupied y seamen under principles of international comity, im-igration officials shall exercise care to insure a thorough nderstanding with all parties concerned, that violations f the immigration laws may be provided against, and at the spirit of foreign laws may be observed.

Special procedure concerning, to be followed in lieu of general procedure if agreed to by vessel—

(*g*) With a view to the more efficient enforcement of e immigration law with respect to foreign crews, and or the greater convenience both of officers of the Immi-ration Service and of the commercial interests involved, e following special procedure will be observed in cases here the master, agent, owner, or consignee of any vessel ngaged in the foreign trade of the United States shall ive satisfactory assurances of ability and willingness to omply with the conditions thereof:

Mental and physical examination of, at foreign ports;

1. The master, owner, agent, or consignee of any such essel shall enforce at its foreign ports of departure and all a rigid medical examination of aliens seeking employ-ment on such vessel which will insure the rejection of any nd all applicants suffering with any mental or physical ffliction which would make them inadmissible to the Jnited States under section 2, or would render the vessel iable to the fine mentioned in section 9 of the immigra-ion act. Any failure on the part of any vessel to enforce such a medical examination in the case of any member of he crew, coming to the knowledge of an officer of the Im-nigration Service, shall be promptly reported to the De-partment for appropriate action.

Report of prospective discharge of, in United States ports;

2. In any case in which an alien seaman is not employed or articled for the return trip voyage to and away from the United States, and in any case in which it becomes necessary for any reason to discharge an alien member of a crew, the master, owner, agent, or consignee of the vessel shall notify the commissioner of immigration or the immigrant inspector in charge at the port of such necessity in due season to permit the inspection and examination of such alien under the provisions of the immigration act.

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Seamen:

Regulation of shore leave, and reporting suspicious cases of;

3. Masters, owners, agents, and consignees of such vessels shall enforce in the ports of the United States regulations on the subject of shore leave which will prevent as far as possible the permanent landing of alien members of the crew before inspection by the immigration authorities. They shall, also, furnish the immigration authorities with the names of aliens employed on their vessels of the *bona fides* of whose intention to follow the sea they have any reason to doubt, and shall afford opportunity for the inspection of such aliens; and, except by express permission of the Immigration Service, they shall under no condition grant shore leave or permit the landing of alien seamen who are insane, idiots, imbeciles, epileptics, or persons afflicted with tuberculosis or with a loathsome or dangerous contagious disease.

Reporting desertions of, and apprehending deserters;

4. When desertions occur, the master, agent, owner, or consignee of the vessel shall promptly notify the local immigration authorities of the name and description of the deserter, and any other information obtainable which would aid in the apprehension of such deserter, to the end that he may be returned to the vessel for conveyance to the foreign port of shipment.

Presumptions in favor of vessels under special procedure.

Where the foregoing conditions have been faithfully complied with, and satisfactory evidence thereof has been presented, of the sufficiency of which the Secretary of Commerce and Labor shall be the sole judge, the master, agent, owner, or consignee will be deemed to have provided a "competent medical examination" of the vessel's crew at the time of foreign embarkation within the meaning of section 9, and will be deemed to have taken reasonable precautions to prevent the landing of alien members of the crew within the meaning of section 18; and the special procedure prescribed in the several articles of this paragraph (*g*) will be followed.

Stowaways:

RULE 23. *Alien stowaways.*—The immigration act contains no provision relating in terms to stowaways, and the sections thereof prescribing inspection of applicants for admission do not, as a general rule, cover their cases.

Reasons for not examining under law;

There are two good and sufficient reasons for refusing to examine stowaways: (1) By stealing passage they not only evade on their own account, but make it impossible for vessel officials to observe the mandatory terms of sections 9 and 12 to 15, requiring medical inspection and detailed manifesting *at the foreign port of embarkation*, so that they occupy the status of persons who have failed to comply with plain provisions of law, an observance of which is necessary to a proper inauguration of their inspection under section 16; and (2) even aside from the fact that stowaways thus come before the immigration officials as violators of the law, they are persons obviously falling within the excluded classes named in section 2 in every instance, at least to the extent that they are persons who are "assisted by others to come," and with respect to

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Stowaways:

whom it would be practically impossible to show "affirmatively and satisfactorily" that they do not belong to the excluded classes.

Not to be examined, *as general rule;*

Therefore, alien stowaways shall not, as a rule, be examined or permitted to land at ports of the United States, nor shall head tax be certified on their account. The masters of vessels immediately upon arrival shall report to the immigration officer in charge the names of any alien stowaways on board, and shall take every precaution to prevent their landing, subject to the penalty prescribed by section 18, holding them on board the vessel until it departs from the United States.

Vessels to report concerning;

Exceptional cases of, to be brought to attention of Department.

While these regulations cover all ordinary cases of stowaways and will in practice be found to be of almost universal application, yet cases may rarely arise in which the alien, though a stowaway, may nevertheless be entitled to inspection and to admission if found to belong to none of the excluded classes. For example, the alien, though originally a stowaway, may have been, because of the particular facts of his case, accepted by the vessel as a passenger and manifested in such a way as to substantially comply with the law, or may have been employed as a member of the crew, or the causes which led the alien to stowaway may have been such as to bring his case within the first proviso to section 2 of the immigration act, and entitle him to special consideration. Exceptional cases of this character should be promptly brought to the attention of the Department, with a full statement of facts and a request for instructions.

Ports of entry, Canada: List of.

RULE 24. *Ports of entry, Canada.*—In accordance with section 36, the following are named as Canadian border ports of entry for aliens; and any alien who enters the United States across such border at any other point shall be deemed to have entered the country unlawfully, and shall be arrested and deported under sections 20, 21, and 35 of said act, in the manner provided by Rule 34 hereof: Eastport, Calais, Vanceboro, Fort Kent, Fort Fairfield, Van Buren, Houlton, and Lowelltown, Me.; Beechers Falls, N. H.; Island Pond, Newport, Richford, St. Albans, Swanton, and Alburg, Vt.; Rouses Point, Malone, Fort Covington, Nyando, Ogdensburg, Morristown, Clayton, Cape Vincent, Charlotte, Lewiston, Niagara Falls, and Buffalo, N. Y.; Detroit, St. Clair, Port Huron, and Sault Ste. Marie, Mich.; Duluth, Ranier, International Falls, Warroad, Beaudette, and Noyes, Minn.; Pembina, Neche, Walhalla, Portal, and St. John, N. Dak.; Sweet Grass and Gateway, Mont.; Porthill and Eastport, Idaho; Marcus, Oroville, Sumas, and Blaine, Wash.

Canadian agreement: Admission under;

RULE 25. *Admission and exclusion, Canadian ports.*—In view of the agreement between the various steamship and railroad companies in the Dominion of Canada and the Commissioner-General of Immigration of the United States of America, inspection and entry of aliens into the

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Canadian agreement: United States from foreign countries, through Canadian territory, under the Immigration Act, will be accomplished in accordance with the following provisions:

Seaports of inspection; (*a*) All aliens arriving in Canada, destined to the United States, shall be inspected at any one of the following ports: Halifax, Nova Scotia; Quebec and Point Levi, Quebec; St. John, New Brunswick; and Vancouver and Victoria, British Columbia; and the holders of certificates, duly signed by the United States commissioner of immigration for Canada, shall be entitled to admittance to the United States, at any one of the places of entry along the border thereof named in Rule 24, without further examination by the United States immigration officers as to their right to enter, upon their identification and their surrender of said certificates to such officials.

Certificates of admission;

(*b*) The said certificates shall be in the following form:

Alien certificate. No. ____

Form of;

FORM 524. DEPARTMENT OF COMMERCE AND LABOR,
IMMIGRATION SERVICE,

_____, _____.

This is to certify that _____, a native of _____, who arrived at the port of _____ per steamship "_____," on the _____, 19__, has been duly inspected and registered, and will be admitted into the United States upon proper identification and surrender of this certificate to any immigration officer at the frontier.

The description of the holder is as follows: Age, _____; height, _____; weight, _____; color of hair, _____; color of eyes, _____.

Remarks: [Note destination, etc.]_____

_____,
U. S. Commissioner of Immigration.

Surrendered at _____, to Inspector _____
_____, 19__.

Seaport examination by inspectors and boards; (*c*) The examination at Canadian ports of all aliens destined to the United States shall be similar in all respects to that conducted at ports of the United States. Such aliens as, in the opinion of the examining inspector, are not clearly entitled to admission shall be taken before a board of special inquiry, the decision of which shall be final, unless reversed upon appeal, as provided for in section 25.

Deportation of rejected aliens; (*d*) All aliens arriving at Canadian seaports, destined to the United States and who may be adjudged inadmissible thereto, shall be refused the certificates herein called for, and the steamship company bringing such aliens to such Canadian seaport shall be required to return them to the countries from which they respectively came.

Manifests of incoming passengers; (*e*) The masters, owners, or agents of vessels bringing aliens to Canadian ports, destined to the United States, shall be required to furnish to the United States immigrant inspectors in charge at such ports complete manifests

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and alphabetical books of all alien passengers arriving upon vessels of their respective lines, and, in addition thereto, complete manifests of all alien passengers destined to the United States such as are now required by law in the cases of vessels bringing aliens to the ports of the United States; and the said masters, owners, or agents shall pay to the United States commissioner of immigration for Canada the sum of four dollars for each and every alien brought to a Canadian port and destined to the United States: *Provided*, That no head tax shall be levied against or collected from Canadian steamship lines on aliens brought to Canada, destined to the United States, who are shown to belong to any one of the excluded classes and who are returned to the country whence they came. In addition to the foregoing, the Canadian steamship companies will furnish to the United States commissioner of immigration for Canada (for transmission to the Commissioner-General of Immigration) manifests of all passengers not citizens of the United States leaving the United States and proceeding by the vessels of such companies to foreign ports, as required in the cases of United States transportation companies by section 12.

Canadian agreement:

Payment of head tax;

Manifests of outgoing passengers;

(*f*) All aliens of the class upon whom head tax is chargeable not provided with certificates of the character described in paragraph (*a*) hereof who shall apply at the border between Canada and the United States within one year after arriving at a Canadian port shall be required to return to such port, or to any one of the ports designated in paragraphs (*a*) and (*f*) hereof, for guaranty of payment of head tax, examination, and the procurement of the certificate described in paragraph (*a*): *Provided*, That aliens destined in good faith to Canada, and who shall have settled at some point in the Dominion of Canada, who shall apply as above for admission to the United States within one year after arrival in Canada, shall be examined by the boards of special inquiry located at any one of the following points: Yarmouth, Nova Scotia; Montreal, Quebec; Newport, Vt.; Buffalo and Suspension Bridge, N. Y.; Detroit, Port Huron, and Sault Ste. Marie, Mich.; Duluth, Minn.; Winnipeg, Manitoba; Portal, N. Dak.; Sweet Grass, Mont.; and Sumas and Blaine, Wash. That the decisions of the said boards of special inquiry shall have the same force and effect as decisions rendered by boards of special inquiry at seaports of the United States. That the various steamship lines shall return at their own expense, from some seaport of the Dominion of Canada or of the United States, as they may deem most practicable and may elect, to the trans-Atlantic or trans-Pacific country whence the aliens came, those aliens coming within the provisions of this paragraph who are shown to belong to any of the excluded classes mentioned in section 2, whenever in the

Certificates of admission;

Extra boards;

Effect of board decision;

Deportation of aliens rejected by boards;

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Canadian agreement: judgment of the Secretary of Commerce and Labor the deportation of such aliens in the manner described is deemed necessary to safeguard the interests of the United States.

Facilities at seaports; (*g*) All facilities in the way of accommodations, access to aliens, and the keeping of aliens apart from the public until after inspection shall be afforded to the immigrant inspectors of the United States at the Canadian ports of landing to enable them to make such inspection as is required by the laws of the United States.

Certificates of admission; (*h*) It is expected that the railway and other transportation companies in the Dominion of Canada will not sell to any aliens en route to any part of the United States tickets for their transportation, or transport them in cars

Prerequisite to transportation; or vessels from the port of entry, until after they have exhibited their certificates as herein provided, and will not knowingly transport into the United States any rejected or undesirable aliens or those who are by law prohibited from entering said country, but will return the

Returning aliens not holding certificates of admission; rejected aliens to the ports at which they arrived. All aliens on account of whom the transportation companies are exempted from payment of head tax, who proceed to the border between the United States and Canada without having first been examined and granted a certificate of admission of the character described in paragraph (*a*) hereof, and who may be excluded by a border board of special inquiry, shall be returned by the transportation company carrying said aliens to the border a

Examination before boards; reasonable distance in Canada from said border. Aliens of the class last above mentioned carried to a border point where there is no board of special inquiry shall be returned and conveyed for examination to the nearest point at which a board of special inquiry is located.

Deportation of excluded and deportable classes; (*i*) The various steamship lines, parties to the Canadian agreement, shall return at their own expense, at any time within three years from the date of landing in Canada, from some Canadian port, or when that is not practicable from some port of the United States, such aliens as, having been brought into the Dominion of Canada upon their respective lines and having subsequently proceeded to the United States, are shown to belong to any one of the excluded or deportable classes mentioned in the act of Congress approved February 20, 1907, whenever deportation of such an alien is ordered by the Secretary of Commerce and Labor.

Application of regulations to aliens coming through Canada; (*j*) The immigration regulations adopted by the Department of Commerce and Labor relating to the examination of aliens at ports of the United States shall apply, in so far as may be practicable, to the inspection of aliens coming through the Dominion of Canada destined to the United States.

Guaranteeing payment of head tax; (*k*) All aliens of the taxable class seeking to enter the United States from Canada or Newfoundland shall be

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denied examination under the United States immigration laws (except to a sufficient extent to determine their liability for head tax) until they present to the examining officer or officers a certificate from a duly appointed agent of the transportation company bringing such aliens to the border, guaranteeing that responsibility for the payment of head tax on account of such aliens will be assumed by said transportation company, certificate guaranteeing payment of head tax being returnable to the applicant for admission in the event of his exclusion, such certificate before its return to the alien to have the word "Rejected" stamped or written in red ink across its face.

Canadian agreement.

Returning head-tax certificate;

(*l*) All moneys collected as provided in paragraph (*e*) hereof shall be transmitted by the United States commissioner of immigration for Canada to an assistant treasurer of the United States in the same manner as other miscellaneous collections are reported by collectors of customs of the United States, to be deposited to the credit of the Treasurer of the United States on account of the "immigrant fund." Statement of such receipts, under this agreement, must be rendered monthly to the Secretary of Commerce and Labor, on forms provided for that purpose.

Disposition of head tax collected in Canada;

(*m*) Said United States commissioner of immigration for Canada shall give bond to the United States in the sum of ten thousand dollars, with sureties approved by the Secretary of Commerce and Labor, conditioned for the faithful discharge of his duties and the remittance of above collections. He shall make monthly reports to the Commissioner-General of Immigration, upon blanks to be furnished by the Department of Commerce and Labor, of all aliens arriving at stations under the jurisdiction of the said commissioner of immigration.

Commissioner bonded;

(*n*) United States officers charged with the execution of the immigration laws and regulations along the Canadian border will, at the end of each month and from time to time as may be required, report in writing to the United States commissioner of immigration for Canada, upon blanks to be prescribed by him, the number of aliens passing through their respective ports of entry and the Canadian ports at which they landed, and the said commissioner of immigration for Canada will make to the Commissioner-General of Immigration similar reports in consolidated form, comprising both ocean and border ports.

Reports from Canadian border.

RULE 26. *Ports of entry, Mexico.*—In accordance with section 36, the following are named as Mexican border ports of entry for aliens, and any alien who enters the United States across such border at any other point shall be deemed to have entered the country unlawfully, and shall be arrested and deported, under sections 20, 21, and 35 of said act, in the manner provided by Rule 34 hereof: Brownsville, Hidalgo, Rio Grande City, Laredo, Eagle Pass, Del Rio, Presidio, and El Paso, Tex.; Douglas,

Ports of entry, Mexico: List of.

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Mexican border: Naco, and Nogales, Ariz.; and Andrade, Campo, Calexico, and Tia Juana, Cal.

Inspection along; RULE 27. *Admission and exclusion, Mexico.*—Aliens applying for admission at the Mexican border ports of entry named in Rule 26 are subject to examination in the same manner and to the same extent as though arriving at seaports, except in the following particulars:

Blanks to be used in collecting statistics and head tax; (*a*) In the cases of aliens who are brought to said ports by a transportation or bridge company statistical data shall be gathered and information as to the manner in which head tax, if taxable, is to be assessed indicated by the use of a blank form reading as follows:

Report of inspection—Mexican border.

FORM 548. DEPARTMENT OF COMMERCE AND LABOR,
IMMIGRATION SERVICE,
PORT OF _____,
(*Date*) _____, *19*__

Name of passenger, _____; Age, _____; Sex, _____; Married or single, _____; Calling or occupation, _____; Read or write, _____; Nationality, _____; Race, _____; Last residence, _____; Final destination, _____; Ticket to destination, _____; Who paid passage? _____; Money, _____; Going to relative or friend; of so, whom? _____; Ever in U. S.? _____; if so, where and when? _____; Ever in prison, etc.? _____; Polygamist, _____; Anarchist, _____; Contract laborer, _____; Health, etc., _____; Whether in transit; and if so, how? _____; Admitted on primary inspection, _____; Held for board of special inquiry, _____; Whether taxable; and if so, transportation or bridge company or individual responsible for payment of head tax, _____

(*Signature*) _____
(*Title*) _____

Use of above blank; (*b*) The above blank shall be used by every officer of the immigration service making examinations of aliens brought to Mexican border ports by transportation or bridge companies, and shall be filled out completely in each case and delivered to the inspector in charge at the port of entry, who will thereupon compile from such forms a detailed notice to the collector of customs, upon blanks which will be provided, reading as follows:

Blanks for reporting aliens subject to head tax;

Statement of aliens subject to head tax—Mexican border.

FORM 549. DEPARTMENT OF COMMERCE AND LABOR,
IMMIGRATION SERVICE,
OFFICE OF _____,
PORT OF _____,
(*Date*) _____, *19*__

COLLECTOR OF CUSTOMS.
Port (or district) of _____

I hereby certify that head tax has been incurred by _____ (transportation or bridge company or individual) _____ on account of alien passenger__ arriving by[a] _____ on this date, and duly admitted, as follows:

Aliens subject to head tax, at $4 each, as follows:

_____ $_____
_____ _____

[a] Give train number or state mode of transportation.

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Mexican border:

Amount to be deposited on account of alien__ in transit (Rule 41) and held as special deposit (Treasury decision 24439), as follows:

---------- $----------
---------- ----------

Total---------- $----------

(*Signature*)----------

(*Title*)----------

Examination concerning funds in alien's possession.

(*c*) In the cases of taxable aliens who cross the border by other than regular (bridge or railway) transportation as a preliminary to regular examination under the laws, such alien shall be questioned only sufficiently to determine with precision whether, in the event that full examination should show him to be admissible, he is in financial condition to pay the four dollars head tax. If found to be in possession of sufficient funds in this respect, the examination may be completed, and if the alien is found eligible he shall be required to pay the head tax before being permitted to land; the blanks above given to be used for the purpose of certifying the head tax to the collector of customs.

Fines:

On account diseased aliens—

RULE 28. *Fine, bringing of diseased aliens.*—As a means of enforcing the collection of any fine imposed under the provisions of section 9 of the Immigration Act, the said section directs the refusal of clearance papers to any vessel bringing an alien diseased as described therein to a port of the United States. To avoid, on the one hand, the denial of reasonable time to the master, agent, owner, or consignee to show cause why such fine should not be imposed and, on the other hand, the loss of the summary and effective means provided for the collection of such fines, the following instructions will be observed:

Manner of imposing;

Medical certificates;

(*a*) The certificate of the medical examiner in the case of an alien afflicted with a loathsome or dangerous contagious disease shall state in terms whether, in his judgment, the "existence of such disease might have been detected by means of a competent medical examination at the port of foreign embarkation."

Notification;

(*b*) Upon the receipt of a medical certificate in compliance with the preceding paragraph hereof, the commissioner of immigration or inspector in charge at the port of arrival shall *at once* serve notice upon the master, agent, owner, or consignee of the vessel upon which such alien arrived in the following form, printed blanks for that purpose to be procured from the Department, viz:

Form of notice;

Notice of liability for fine on account of bringing diseased alien to the United States.

FORM 507. DEPARTMENT OF COMMERCE AND LABOR,
IMMIGRATION SERVICE,
[Prepare in triplicate.] OFFICE OF----------,
PORT OF----------,
----------, *19*--

To----------

---------- of the steamship ----------
[Master, agent, owner, or consignee.]

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Fines:

In conformity with the requirements of Rule 28 of the Immigration Regulations, you are hereby notified that the certificate of the examining surgeon, based upon a physical examination of the alien whose name is shown herein, indicates that a fine should be imposed under the provisions of section 9 of the Immigration Act approved February 20, 1907.

If you desire a hearing as to whether a fine should be imposed in this instance, you will be allowed sixty days from the date of this notice for that purpose, and the vessel on which the said alien arrived will be granted clearance papers when she is ready to sail and allowed to proceed upon her outward-bound voyage, upon condition that you deposit with the collector of customs at this port, prior to her sailing, the sum of one hundred dollars as security for the payment of the said fine, should it be imposed.

Name of alien.	Steamship.	Disease.
----------	----------	----------

[Name.]

[Official title.]

Received the above notice ----------, 19--, at -------- M.
[Time.]

(Witness:)

Disposition of notice;

(*c*) The notification shall be prepared in triplicate, the original to be delivered by an employee of the Immigration Service at the office of the master, agent, owner, or consignee to whom it is addressed, said employee to witness the signature of the recipient. Receipt of service shall be indorsed upon the duplicate and triplicate, the duplicate to be returned to the office of the commissioner of immigration or inspector in charge and preserved as proof of delivery, and the triplicate to be delivered to the collector of customs, who will withhold clearance papers until the deposit is made.

Deposit;

(*d*) The special deposit of one hundred dollars required to stay action for the period of sixty days shall be made to the collector of customs for the district wherein the port of arrival is located before such sailing, and in default thereof all further proceedings shall be discontinued and the facts certified to the Bureau of Immigration and Naturalization by first mail, together with the medical certificate and duplicate notice, in order that such action may be taken as the evidence requires.

Stay of action;

(*e*) If, after service of the notice as provided in paragraph (*b*) of this circular, the deposit of one hundred dollars has been made in conformity with the said notice, the commissioner of immigration or inspector in charge shall suspend further proceedings until the submission of the evidence offered to show why the said fine should not be imposed, or until the lapse of the specified period of sixty days thereafter. When the said evidence has been submitted it shall be forwarded, together with the certificate of the examining surgeon and duplicate notice, to the Commissioner-General of Immigration, for presentation to the Secretary of Commerce and Labor, by the

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Fines:

said commissioner or inspector in charge, who shall at the same time present his written views as to whether the said fine should be imposed. If no evidence is submitted prior to the expiration of the said sixty days, then said commissioner or inspector in charge shall report the case, without such evidence, for action by the Secretary of Commerce and Labor.

Final proceedings.

(*f*) Upon receipt of the decision of the Secretary of Commerce and Labor, a copy thereof shall be forwarded to the collector of customs, together with such data as may enable him to identify the special deposit made in that particular case. If the said decision imposes the fine, the one hundred dollars deposited as security shall be accounted for by the said collector in the usual manner as a fine; if the decision holds that the penalty has not been incurred, the collector of customs shall return to the depositor the amount deposited as security.

Fines—

For nonmanifesting—

RULE 29. *Fine, failure to deliver manifests.*—If the master or commanding officer of any vessel bringing aliens to a United States port fails to deliver to the immigration officers at such port lists or manifests, as required by sections 12, 13, and 14, and it therefore becomes necessary to collect the fine imposed by section 15, the following instructions shall be observed:

Notice and procedure as to incoming passengers;

(*a*) Written notice, clearly setting forth the particulars in which the lists or manifests are deficient, shall be served upon the steamship company concerned, allowing such company the period of sixty days from date of notice within which to place before the Department, through the local immigration officials, such evidence, if any, as said company may possess to show cause why the statutory penalty should not be collected. Copies of such notices and the responses thereto shall be kept of record, and shall be forwarded to the Department in the event the collection of the penalty is protested; and in no protested case shall suit be instituted to enforce collection until the Department has rendered a decision directing that collection be made.

Procedure for protesting collection;

Notice as to outgoing passengers;

(*b*) Similar notice shall be given by collectors of customs as a preliminary to collecting fines for failure to promptly furnish manifests of outward-bound alien passengers. (See Rule XXIX, statistical regulations.)

Can not be remitted;

(*c*) Under an opinion of the Attorney-General, the fine mentioned in this rule can not be remitted. (25 Op. At. Gen., 336.)

Aggregate not to exceed $100, in cases departure;

(*d*) In no case covered by this rule shall the aggregate amount of fines collected in any one instance of departure of a vessel exceed one hundred dollars.

Exemption on account diplomatic and consular officers;

(*e*) The detailed statistical information required under section 12 of the Immigration Act and section 1 of the naturalization act of June 29, 1906, shall not hereafter be required to be furnished in the cases of diplomatic and

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Fines:

consular officers, and other officials duly accredited by their governments, together with their suites, families, and guests, coming to the United States or in transit. The names of all such diplomatic and consular representatives and their suites, families, and guests, with their respective titles, should, however, appear grouped together upon the manifest.

Questioning aliens concerning items lacking in manifests.

(*f*) As an additional precaution, all aliens examined at ports of entry, concerning whom complete information is not furnished in the manifests, should be questioned as to whether demand was made upon them by the representatives of the steamship company at the port of foreign embarkation for the items of information that are lacking; and in case such answer is in the negative, the affidavit of the alien shall be taken and filed for future reference if required.

Certificate of surgeon, regarding aliens aboard vessel:

What acceptable.

(*g*) The certificate (unverified) of a responsible surgeon located at the point of embarkation or at the last port of call, prepared in the form appearing upon the reverse side of the manifest (Form 1500), shall be accepted as a sufficient compliance with section 14 requiring that when no surgeon sails with a vessel bringing aliens to the United States, the mental and physical examination of such aliens shall be made by "some competent surgeon employed by the owners of the said vessel."

Manifests:

Alphabetical indexes of.

(*h*) There will be furnished to the steamship company by the Bureau of Immigration and Naturalization blank books suitable for use in the preparation of alphabetical indexes of manifests.

Fines:

Method of reporting when U. S. attorney requested to prosecute.

RULE 30. *Fines, reporting of.*—The following method will be observed in reporting fines incurred under the immigration laws:

(*a*) Commissioners of immigration or inspectors in charge will, in all cases wherein a United States attorney is requested to institute proceedings for the recovery of prescribed penalties or to undertake criminal prosecution of an alleged offender against the immigration laws, make a report at the same time to the collector of customs for the district in which the offense was alleged to have been committed. Said report shall be rendered in every case which may arise, irrespective of the possible outcome of any legal proceedings, and shall embrace the following: (1) Date when offense was committed; (2) act, and section thereof, violated; (3) nature of offense; (4) name of offender; (5) nationality, kind, and name of vessel; (6) statutory amount of fine; (7) date of reporting case to United States attorney.

(*b*) Upon receipt of the above reports, the collector of customs will give each case a number in chronological order. When more than one section of a statute is violated by the same vessel, a separate case number will be given to each violation.

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Fines:

(*c*) At the close of each month, collectors of customs will render reports in the same manner as in the case of navigation and steamboat-inspection fines, viz: All fines incurred during the month must be reported on Form Cat. No. 1078, showing, under the heading "Remarks," the date when the case was reported to the United States attorney.

(*d*) All fines disposed of during the month must be reported on Form Cat. No. 1032. In connection with this form, the account current (Form Cat. No. 1030) must be used.

(*e*) At the close of June and December in each year, semiannual reports, on Form Cat. No. 1079, must be rendered, showing all unsettled cases on hand and explaining the cause of delay in disposing of them.

RULES RELATING TO DEPORTATION.

Deportation, aliens subject to:

RULE 31. *Deportation, aliens subject to.*—Aliens of the following classes are subject to arrest, upon the warrant of the Secretary of Commerce and Labor, and to deportation to the country whence they came, at any time within three years after landing or entry:

Members excluded classes;

(*a*) Aliens who, at the time of entry, belonged to any of the classes of persons enumerated and defined in section 2 of the Immigration Act or in the Executive order of March 14, 1907, and who should, therefore, have been then excluded. (Secs. 20, 21.)

Public charges;

(*b*) Aliens who become public charges from causes existing prior to landing. (Sec. 20.)

Prostitutes;

(*c*) Alien women or girls who are found to be inmates of a house of prostitution or practicing prostitution. (Sec. 3.)

Those entering surreptitiously.

(*d*) Aliens who are found to have entered the United States at any other place than at the seaports thereof or at one of the ports or places designated in Rules 24 and 26 hereof, and aliens found to have entered at a seaport, but at any time or place other than as designated by the immigration officers. (Secs. 18, 38.)

Public charges from prior causes:

RULE 32. *Public charges from prior causes.*—The case of every alien found to have become a public charge from causes existing prior to landing should be reported to the immigration officer stationed nearest the place where the alien is confined. This report *must be accompanied by*—

Reporting cases of;

Medical certificate of;

(1) An unequivocal certificate (Form 534) of the *principal medical officer* of the institution of which the alien is an inmate, setting forth:

Data for verifying landing of;

(*a*) That the alien is a public charge, and giving: Date of admission to the institution; date and port of foreign embarkation; ship and line by which arrived; date and port of American debarkation; correct name; name under which manifested; age; nationality; and citizenship.

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Public charges from prior causes: Exact condition to be shown;

(*b*) An accurate statement in plain terms of the mental or physical disability of the alien, covering any and all complications which his condition may present; also his present condition with reference to the degree of helplessness to which reduced; the probability of a cure, or the degree to which health and ability to become self-supporting may be restored; and in insanity cases, whether recurrent attacks might be expected if recovery from present onset were effected.

Statement of causes required; Origin of causes.

(*c*) A full and complete recital of the causes to which are attributed the alien's condition as a public charge.

(*d*) Whether such causes are considered to have existed prior to or to have arisen subsequent to landing; and if believed to have existed prior to landing, stating specifically the reasons upon which belief in prior cause is based, or, in other words, the features of the case which justify such a conclusion.

Copy of history required.

(2) A *complete copy* of the clinical or general history of the case as shown by the hospital records, and including the statements of relatives and friends.

Commitment papers;

(3) In the cases of insane patients, a copy of the commitment papers containing the grounds alleged by the examining physicians as the basis for commitment.

Further certificate required if possible;

(4) Before applying for a warrant in accordance with Rule 34, the immigration officer to whom the foregoing report is made shall, whenever practicable, cause the alien to be examined by an officer of the Public Health and Marine-Hospital Service, whose certificate should accompany the application for a warrant.

Public charges: Medical certificate concerning.

RULE 33. *Public charges, medical certificate.*—In the event that the examining medical officer is able definitely to certify that an alien was, at the time of landing in the United States, afflicted with insanity, idiocy, imbecility, feeble-mindedness, epilepsy, tuberculosis, or a loathsome or dangerous contagious disease, such a certificate will be regarded as prima facie evidence of entry in violation of section 2 of the Immigration Act, and, in the absence of satisfactory evidence to the contrary, the alien will be deported in accordance with the provisions of sections 20 and 21.

Deportation: Application for warrant of.

RULE 34. *Deportation, application for warrant.*—Every immigration officer receiving a report in conformity with Rule 32, accompanied by a medical certificate that complies with either Rule 32 or Rule 33, shall communicate with the officer in charge at the port of entry and, if landing is verified from the official records, shall make application for warrant in the manner provided by Rule 35. Such aliens will not be removed from the institutions in which they are confined until after due hearing and after an order of deportation is issued, or unless special instructions for removal are incorporated in the warrant.

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RULE 35. *Deportation, procedure.*—In enforcing sections 20 and 21 of the act approved February 20, 1907, the following instructions regarding applications for warrants of arrest and deportation will be observed: Deportation, procedure:

(*a*) All applications for warrants must be made, if possible, upon blank form No. 565, which will be furnished upon written request to the Commissioner-General of Immigration, Department of Commerce and Labor, and which must be filled out in accordance with the printed lines contained therein, and be accompanied by the certificate of landing or entry (Form No. 564) hereinafter prescribed, or if not so accompanied the reasons for the absence of such certificate must be given, and in that case all the facts called for in the blank form of said certificate shall be set forth in the application, so far as the facts are ascertainable. Application for arrest warrant;

(*b*) A full statement must be made in every such application of the facts, supported if practicable by affidavits, which show the presence in the United States of the alien whose arrest and deportation is sought to be in violation of law. Affidavits to accompany;

(*c*) The certificate of landing in or entry into the United States must contain a complete statement in detail of all the facts disclosed as to any such alien by the manifest or list containing his name, with an attached certificate by the officer in charge of such manifest that the information given agrees in all particulars with the record of such alien in said list or manifest. Verification of landing;

(*d*) Telegraphic application for warrants should be avoided so far as possible, but, if the circumstances of any particular case make it absolutely necessary to resort to request by wire, such request must state that the foregoing regulations have been complied with, and that the form of application and certificate hereinbefore mentioned have been forwarded to the Department, and must give the substance of the statement of facts contained in the said application and certificate. In order to obviate any possible legal difficulty in the service of the telegraphic warrant, the Department will confirm the telegram by sending in the next outgoing mail a formal written warrant. The statement of facts, contained in the telegraphic application, therefore, must be sufficiently complete and specific to form the basis of the formal warrant. Telegraphic application for arrest warrant;

(*e*) If, upon the receipt of any such application and certificate or of the request by wire provided for in paragraph (*d*), either completely in conformity with these regulations or accompanied by a satisfactory explanation of inability to comply therewith, it appears to the Secretary that the alien whose arrest and deportation is sought is in the United States unlawfully and that the time within which he can be deported has not expired, a warrant for his arrest will be issued directing that he be taken before an officer or officers named therein, and there be given full opportunity to show cause, if there be any, Issuance of arrest warrant;

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Deportation, procedure: why he should not be deported, and as soon as arrested said alien shall be apprised of his right to be represented

Hearing under arrest warrant; by counsel, and he and his counsel shall have the right to inspect all the evidence upon which the Secretary has acted in directing said alien's arrest, and be given an opportunity to offer evidence and submit an argument in his behalf, and be given an opportunity to inspect and make a copy of the report of the hearing and of the findings of the officers before whom it is held. In case said alien is unable to understand or to speak the English language, an interpreter shall, if possible, be secured for the hearing, authority for payment of a reasonable compensation to be obtained by special request therefor; and in the event that the alien is physically or mentally incapable of testifying, his relatives, friends, or acquaintances shall be questioned.

Medical certificate; (*f*) The record of the hearing accorded an alien who is insane or has become a public charge shall be supplemented by a *written* certificate of the medical officer in charge of the institution in which the alien is confined, showing whether such alien is in condition to be deported without danger to life.

Release under bond; (*g*) Pending decision upon the case the arrested alien shall be released from custody, provided there is furnished, as required by the proviso to section 20, a satisfactory bond running to the United States and conditioned for the production of the alien to the immigration officers for hearing or hearings and for deportation in the event of the issuance of a departmental warrant of de-

Sureties on bond; portation. The sureties on such bond shall be parties of ascertained financial responsibility; and in preparing the bond a blank form supplied by the Bureau of Immi-

Approval of bond; gration and Naturalization will be used. No alien so arrested shall be released, however, until the authority of the Department to accept bond in a specified sum is received, nor until the sureties on the bond have been found to be reliable. Before releasing the alien either one of two methods shall be observed (as may be deemed best calculated to secure an expeditious handling of the case) to have the bond approved as to form and execution: First, the bond to be forwarded to the Bureau at Washington for review by the solicitor of the Department; or, second, the bond to be submitted to the local United States attorney for such purpose. In any event the alien shall be promptly released on receipt of advice that the bond has been approved as to form and execution, and the bond shall be forwarded to the Bureau for formal acceptance by the Secretary.

Issuance of deportation warrant; (*h*) If, after the receipt of the report of such hearing, it shall appear to the satisfaction of the Secretary, from all the evidence, that such alien is in the United States in violation of law and that the time within which he can

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be deported has not expired, a warrant will be issued for his deportation. Deportation, procedure:

(*i*) Officers are directed to make thorough investigation of all cases where they are credibly informed, or have reason to believe, that a specified alien is in the United States in violation of law. It is not permissible for officers to resort to any form of intimidation, by threats, violence, or otherwise, in order to extort from any suspected alien or from any other person the information to be embodied in the application for the warrant of arrest. Officers are specially cautioned not to lend their aid in causing the arrest of aliens upon charges arising out of personal spite or enmity, unless the truth of such charges is clearly established. Care to be exercised in conducting investigation;

(*j*) In every case in which a warrant of deportation is issued under sections 20 and 21, the immigration official in charge at the port from which deportation is to be made shall notify the steamship line, on a vessel of which the alien is to be placed, of the intended deportation as promptly as possible after receipt of the departmental warrant and of advices from the officer under whose supervision the arrest and hearing in the case have been effected. And in all such cases care shall be exercised by all immigration officials concerned to furnish the steamship officials with full and exact information concerning the name, destination, condition of health, etc., of the alien to be deported. Notice to steamship company;

(*k*) If the conditions are such that an attendant (or matron) will be required to assist in conveying an alien from an inland point to the seaport of deportation, special request for authorization therefor should accompany the record of hearing under a warrant of arrest. Such attendants will be allowed a nominal compensation of *one dollar* and traveling expenses both ways. This rate must not be exceeded in any instance without special authorization, based upon extraordinary conditions, to be fully set forth for the guidance of the Department. Attendant to seaport.

RULE 36. *Deportation, cost of maintenance.*—The cost of maintaining aliens during the pendency of warrant proceedings under the preceding rule is a proper charge against the appropriation "Expenses of regulating immigration;" but in the cases of aliens who have become public charges from causes existing prior to landing in the United States, such cost shall not be allowed for any period preceding the date of original notification to an officer of the Immigration Service, and even then only in the event that the Department, upon investigation, orders the deportation of the alien. If proceedings against a procurer or contractor are instituted in accordance with section 3, 5, or 20 of the Immigration Act, immigration officers should report to the United States district attorney the amount of the cost of deporting the alien, in- Arrest and deportation: Expense of maintenance during proceedings, how borne; Method of obtaining reimbursement when importers are prosecuted.

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Arrest and deportation:

cluding one-half of the entire cost of removal to the port of deportation, so that a proper effort may be made to recover such expense from the procurer or importer and the reimbursement of the Government and the transportation company for their respective parts thereof.

Deportation:

RULE 37.[a] *Deportation, procedure in cases of insane or diseased aliens requiring special care and attention.*—

Procedure in cases of insane or diseased aliens;

(*a*) When deportation is to be effected, under sections 20 and 21, and the alien is disabled or mentally or physically diseased, the immigration officer charged with the investigation of the case shall obtain from the physician (if practicable a surgeon of the Public Health and Marine-Hospital Service) having personal knowledge of the condition of the alien's health a statement showing such condition in terms that will enable the Department to determine whether the alien, if deported, will require special care and attention, which statement shall accompany the report of the hearing of the case forwarded to the Department.

Aliens requiring special care and attention—

Procedure in cases of—

(*b*) If, upon considering the report of the hearing, the Department decides that the alien is deportable and issues a warrant of deportation, the physician's statement described in paragraph (*a*) hereof, taken in conjunction with such further evidence of physical or mental condition as is brought out by the hearing, will be made the basis for determining whether direction shall be given that the steamship line by which deportation is to be effected shall be called upon to submit to the Department returns covering the ocean voyage and delivery of the alien to the transoceanic port, and foreign land trip and delivery of alien at final destination, in accordance with paragraph (*c*) hereof.

Returns by vessels concerning;

Delivery of forms of returns;

(*c*) If the Department indicates in issuing its warrant of deportation that, in its opinion, the mental or physical condition of the alien is such as to require particular care and attention during the ocean voyage and foreign land trip, the commissioner or inspector in charge shall, when delivering the alien to the master or first or second officer of the steamship by which the return of the alien is to be made, place in the hands of such officer a statement of particulars (Form No. 597) and blank receipt and blank returns attached thereto lettered, respectively, "A," "B," "C," and "D"), the receipt ("B") to be immediately signed by such steamship officer and returned to the officer delivering the alien, and the blank returns ("C" and "D") to be filled out in due course by appropriate officials of the steamship line and mailed to the commissioner or inspector in charge at the port of deportation, in accordance with instructions given in the statement of particulars.

[a] For special regulations regarding arrest and deportation of prostitutes and procurers, and anarchists and criminals, see Department Circulars Nos. 156 and 163, respectively.

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Deportation: Preparation of returns;

(*d*) In preparing the statement of particulars, care will be exercised to furnish exact and full information of the character indicated by the language and blank spaces of the form. The number of the departmental warrant in cases of *deportation*, and the file number of the correspondence in cases of *return*, shall be inserted by the immigration employee charged with the duty of filling out the blanks in the appropriate space at the top of each sheet ("A," "B," "C," and "D") of the blank. Sheets "A" and "B" will be completely filled out (except signature) by such immigration employee; and sheets "C" and "D" will be left blank, except for the careful insertion of the number, it being intended that the steamship officials shall fill out such sheets. Both the original and the carbon copy of sheets "B," "C," and "D" will be delivered to the master or first or second officer of the vessel in whose charge the alien is placed; but of sheet "A" only the original will be so delivered, the carbon copy being retained in the records of the immigration station.

Mailing of returns;

(*e*) The commissioner of immigration or inspector in charge by whom the statements of particulars are delivered to steamship masters shall see that in due course the returns, properly and completely filled out, are mailed to him. Any failure on the part of steamship companies so to do, as well as any circumstance, or anything contained in the returns, indicating failure upon the part of the officials of a vessel to accord proper care and attention to a deported alien and to deliver him into proper custody at his final destination, shall be reported to the Department fully and in detail.

To be to transoceanic port;

RULE 38. *Deportation, where to.*—The deportation of aliens as prescribed in Rules 30 to 36 hereof shall be to the foreign trans-Atlantic or trans-Pacific port from which such aliens embarked for the United States; or, if such embarkation was for foreign contiguous territory, to the foreign port at which they embarked for such contiguous territory. (Sec. 35.)

Of public charges from subsequently arising causes;

RULE 39. *Deportation by consent.*—Any alien who has been lawfully landed, but who has become a public charge from subsequently arising physical inability to earn a living, may, by consent of the alien and with the approval of the Bureau of Immigration and Naturalization, be deported within one year from date of landing at the expense of the immigrant fund: *Provided*, That such alien is delivered to the immigration officers at a designated port free of charge; and the charges incurred for the care and treatment of any such alien in any public or charitable institution from the date of notification to an officer of the Bureau until the expiration of one year after landing may be paid from the immigrant fund at fixed rates agreed upon.

Expense, how borne.

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RULES RELATING TO TRANSIT.

Transits:

To be examined;

RULE 40. *Aliens in transit.*—Every alien seeking a landing for the purpose of proceeding directly through the United States to a foreign country shall be examined, and, if found to be a member of any one of the excluded classes, shall be refused permission to land, in the same manner as though he intended to remain in the United States. Cases where a refusal of the privilege would entail exceptional hardship may be reported to the Secretary for a special ruling.

Cases exceptional hardship to be reported.

Head tax must be deposited on account of;

RULE 41. *Aliens in transit, head tax for.*—(*a*) No alien desiring admission at a port of the United States for the professed purpose of proceeding directly therefrom to foreign territory shall be permitted to land thereat except after deposit with the collector of customs at said port, by the master or owner of the vessel or by a representative of any other mode of transportation by which such alien is brought, of the amount of the head tax (four dollars) prescribed by section 1 of the Immigration Act, said amount to be refunded upon proof satisfactory to the immigration officer in charge at the port of arrival that said alien has passed by direct and continuous journey through and out of the United States within thirty days from the date of admission, proof of such departure to be furnished within sixty days from the date of admission. Special deposits of head tax on account of aliens in transit will, at the expiration of sixty days from the date of admission, be covered into the Treasury as head tax, the cases in which proof of departure is received after the expiration of such period to be reported to the Bureau of Immigration and Naturalization for special authorization, under the provision incorporated in the legislative, executive, and judicial appropriation act approved February 3, 1905.

Head tax to be refunded on proof of departure;

Head tax to be covered into Treasury at expiration of 60 days;

How then refundable;

Special system of collecting and refunding head tax on transits from Canadian territory;

(*b*) All aliens of the taxable class desiring to proceed in transit through the United States from the Dominion of Canada shall be required to furnish to the examining officer or officers guaranty of payment of head tax described in paragraph (*k*) of Rule 25 of these regulations. If admissible, aliens claiming to be in transit will be given certificate Form 523, providing for refund of head tax upon such certificate being properly indorsed by the alien and by the purser of the outgoing trans-Atlantic or trans-Pacific steamship upon which the holder of said certificate may depart from the United States; or, if the alien be passing in transit through the United States from one point in Canada to another point in Canada, then such indorsement to be made by the conductor of the train upon which the holder of the certificate departs from the United States.

On those arriving at Canadian seaports;

(*c*) Refund of head tax will be made on aliens of the taxable class, arriving at Atlantic or Pacific ports of

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Canada and desiring to proceed immediately in transit through the United States, to the transportation line responsible for payment of head tax on such aliens, upon proof satisfactory to the United States commissioner of immigration for Canada that said aliens have passed by direct and continuous journey through and out of the United States within the time limit specified in this rule. Transits:

(*d*) Even though an alien, being a "transit passenger," enters and leaves the United States at the same port the provisions of this rule shall be applied to his case to the same extent, and in the same manner so far as necessary, as though such alien entered at one port and departed through another. In the cases of those entering across the Canadian border as transient visitors, however, Form No. 569 will be used instead of Form No. 523, under the procedure laid down in paragraph (*b*) hereof. Entering and leaving at same port — refund of head tax on account of;

(*e*) A class of "transit passengers" which requires somewhat different treatment in practice than "transits" as ordinarily understood and "transient visitors," whose cases are covered by the preceding paragraphs hereof, consists of aliens visiting the United States as tourists, on pleasure or business. With regard to such class, no payment or deposit of head tax need be required, if the immigration officers at the port of entry are satisfied that it is the *bona fide* intent of the passenger merely to visit or tour the United States. For instance, when an alien is in possession of first-class round trip or through transportation, or other circumstances are present, indicating with reasonable certainty that the passenger is a tourist, deposit should not be required; if doubt exists, he should be classed as a "transit" or "transient visitor." Entering as tourists — different practice applying to;

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MISCELLANEOUS RULES.

Cattlemen: Admission of;

RULE 42. *Cattlemen.*—It is ordered that all cattlemen returning to ports within the United States holding certificates duly signed by a commissioner of immigration or an immigrant inspector shall be entitled, upon identification, to admission into the United States without further examination by the immigration officers, to whom said certificate must be presented and surrendered, which certificate must be as follows:

Form of certificate for.

FORM 567.

Cattlemen's certificate of admission.

[Stub.]

No.....
Port of.....
Date....., 19...
Name.....
Age.....
Native of.....
Employed by.....
Of.....
A cattleman sailing on the steamship.....
Surrendered at the port of.....
....., 19...
Height.....
Weight.....
Color of hair.....
Color of eyes.....
General remarks.....
.....
.....
Signature of cattleman:
.....

DEPARTMENT OF COMMERCE AND LABOR,
IMMIGRATION SERVICE.

No..... PORT OF.....,
....., 19...

This is to certify that.....a native of.....age....., who is duly accredited an employee of..... sailing on the steamship....., 19..., is a cattleman from the port of.....United States of America.

The holder of this certificate will be permitted to enter the United States as a returning cattleman on presentation of this certificate and proper identification by the immigration inspector.

Height.....
Weight.....
Color of hair.....
Color of eyes.....
General remarks.....
.....
.....
Commissioner of Immigration.

NOTE.—This certificate must be furnished by the commissioner of immigration, or immigrant inspector, to the steamship company at the port of departure. The certificate will be filled in by the United States officer and delivered to the captain of the vessel upon which the cattleman sails, who in turn will deliver the paper to the person in whose name it is issued, at the foreign port of destination, to enable the cattleman to return. Any alteration or erasure of this certificate renders it void, and if it is presented by any person other than its rightful owner it will be taken up and the holder subjected to the inspection required by law.

Immigration officials: Administration of oaths by.

RULE 43. *Administration of oaths.*—The authority to administer oaths conferred upon immigration officials by section 24 of the Immigration Act is limited to matters "touching the right of any alien to enter the United States." When, therefore, such officials are detailed to investigate frauds or attempts to defraud the Government, or any irregularity or misconduct of any officer or

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agent of the United States, section 183 of the Revised Statutes should be relied upon for authority to administer oaths to witnesses. Immigration officials:

RULE 44. *Posting of immigration acts.*—The certificate required by section 8 of the act of Congress approved March 3, 1893, that copies of the immigration acts have been duly posted, shall be filed with the Secretary of Commerce and Labor upon the first days of January and July of each year. Posting laws: Filing certificate of.

RULE 45. *Official communications.*—Officers employed in the administration of the immigration and Chinese-exclusion laws are notified that all communications to the Department upon official matters must be addressed to the Commissioner-General of Immigration or to the Secretary of Commerce and Labor through official channels. Official communications: To be sent through official channels.

RULE 46. *Telegraphing.*—With the object of reducing the expense of telegraphing in connection with the official business of the Immigration Service, the telegraphic code provided by the Bureau of Immigration and Naturalization will be employed to the fullest extent possible. Telegraphing: Code for.

RULE 47. *Uniforms.*—It is hereby ordered that inspection officers and employees of the Immigration Service stationed at ports or places of entry into the United States *and elsewhere* shall, while on duty, *unless otherwise specially directed in writing*, wear uniforms designated by the Bureau of Immigration and Naturalization, said uniforms to be purchased by the said inspectors and employees. Uniforms: Officers required to wear;

(*a*) UNIFORM SUITS: Uniform suits will be made of dark blue cloth. The following are the prescribed styles: Particulars concerning— Suits;

Suits for inspectors and assistant inspectors—Coats.—Double-breasted sack, four buttons on each side, ends cut square. Two lower outside pockets, one on upper left side and small ticket pocket on right side. All outside pockets to have flaps, except upper left-hand pocket. Two inside pockets. All pockets to be of liberal size.

Vests.—Single-breasted, six buttons, collar. Four pockets without flaps. Bone buttons.

Trousers.—Plain, with side pockets, two hip pockets, and watch pocket. No stripe. Band back and front on inside at bottom.

Suits for all other officials.—Same as above, except that coat shall be single-breasted instead of double-breasted.

(*b*) BUTTONS: The bone buttons upon suits will be of a special pattern designed to fit brass button shells (detachable) which must be affixed and worn in all cases while on duty. Button shells will be forwarded without cost upon application to the Bureau. Buttons;

(*c*) CAPS: Contract has been made for uniform caps, which must be paid for by the employees, the cost per cap being two dollars. If money order for this sum is for- Caps;

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Uniforms: Particulars concerning—

warded to the Bureau, through official channels, full name and title of employee and size of cap wanted being stated, the same will be ordered sent direct to purchaser, express charges collect. The winter cap is made of blue cloth and the summer cap of black silk. *Unless otherwise specified*, BLUE CLOTH cap will be furnished.

Cap insignia;

(*d*) CAP INSIGNIA: Caps will be provided with appropriate insignia and lettering without charge to employees, but orders must be placed through the Bureau in every instance.

Collar insignia;

(*e*) COLLAR INSIGNIA: Inspectors in charge of stations, or of the various divisions at the principal ports of entry, will be designated by an appropriate legend worn on both sides of the front of the coat collar. These legends will be worked in gold letters upon blue cloth, and may be obtained free of cost upon application to the Bureau. The cloth strips will be attached to coat collars with hooks and eyes, so that they may readily be removed.

Service insignia;

(*f*) SERVICE INSIGNIA: Immigrant and Chinese inspectors one year in the service may be designated by a strip of gold braid upon the top of the cuff of the left coat sleeve 2 inches from the bottom of the sleeve and extending halfway around it. An additional strip may be added one-four inch higher than its predecessor for each year's completed service up to five years, when a small gold star may be worn in lieu of the braid, which should then be removed. For each year from five to nine, inclusive, a strip of gold braid may be added. Ten years' continuous service may be indicated by two stars, and so on. The equipments needed to comply with this requirement can be secured without charge upon application to the Bureau, the full name and exact service of the employee being stated. Insignia is issued to inspectors only. The length of service is reckoned from the date of original appointment as inspector, and must not include prior service in other capacities. In making request for insignia, give date of original appointment as inspector, or if at present wearing insignia, describe same and give date on which the last prior addition thereto was received from the Bureau.

Seasons;

(*g*) SEASONS: The time of changing from one weight of uniform to another will be governed by the change of seasons at the various stations of employees. Officers stationed in Hawaii and Porto Rico may wear white duck uniforms and caps, insignia for the latter to be procured free of cost upon application to the Bureau.

Light-weight uniforms;

(*h*) LIGHT-WEIGHT UNIFORMS: Officers and employees stationed at places where the climate is too warm to admit of comfort in wearing the regular summer uniform may have their uniforms made of light material suited to the locality, subject to the stipulation that the color and style

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shall conform to the requirements of paragraph (*a*) hereof. The special buttons required to fit brass shells may be procured from the Bureau. Uniforms: Particulars concerning—

(*i*) INSPECTIONS: Commissioners of immigration and inspectors in charge will make reports to the Bureau on the first days of January and July regarding the condition of each part of the uniform of every employee under their respective jurisdictions, each portion of every uniform being graded as excellent, good, fair, or bad, as the case may be. Form 596 will be used in making these reports, and if any reports showing the condition to be "bad" is made, the steps that have been taken to correct this condition should be noted. Inspections;

(*j*) NEW APPOINTEES: Officers having charge of immigration stations, districts, or ports will require employees newly appointed and ordered to report to them for duty to provide themselves with standard uniforms within thirty days from the date of assignment to duty, and will see that the *full uniform* is worn by all employees, as herein provided. New appointees.

RULE 48. For convenience in enforcing both the immigration and the Chinese-exclusion laws, the territory within which immigration officials are located is divided into districts, under the jurisdiction of commissioners of immigration or inspectors in charge, numbered, defined, and with headquarters fixed, as follows: Districts: Number; Offical in charge; Headquarters; Extent.

Dist. No.	Title of officer.	Location of headquarters.	Extent of districts.
1	Commissioner of immigration.	Montreal, P. Q., Canada.	Canadian border and Canadian seaports.
2	Commissioner of immigration.	Boston, Mass.....	New England States, including port of Boston and subports of Portland and New Bedford.
3	Commissioner of immigration.	Ellis Island, New York Harbor.	New York and New Jersey; immigration matters *only*.
	Chinese inspector in charge.	17 State street, New York, N. Y.	New York and New Jersey; Chinese matters *only*.
4	Commissioner of immigration.	Philadelphia, Pa..	Pennsylvania, Delaware, and West Virginia; port of Philadelphia and substations of Pittsburg, Chester, and Wilmington.
5	Commissioner of immigration.	Baltimore, Md....	Maryland and District of Columbia; port of Baltimore and subports of Annapolis and Washington.
6	Inspector in charge....	Norfolk, Va.....	Virginia, North Carolina, and South Carolina; port of Norfolk and subports of Newport News, Wilmington, and Charleston.
7	Inspector in charge....	Tampa, Fla.....	Georgia, Florida, and Alabama; port of Tampa and subports of Savannah, Brunswick, Jacksonville, Miami, Key West, Pensacola, and Mobile.
8	Commissioner of immigration.	New Orleans, La..	Louisiana, Mississippi, Arkansas, and Tennessee; port of New Orleans, and subports of Gulfport and Pascagoula.
9	Inspector in charge....	Galveston, Tex...	Port of Galveston and subports of Port Arthur and Corpus Christi; immigration matters *only*.
10	Inspector in charge....	Cleveland, Ohio...	Ohio and Kentucky; substations at Toledo and Columbus.
11	Inspector in charge....	Chicago, Ill.....	Illinois, Indiana, Michigan, and Wisconsin.

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Districts:

Dist. No.	Title of officer.	Location of headquarters.	Extent of districts.
12	Inspector in charge....	Minneapolis, Minn	Minnesota and North and South Dakota.
13	Inspector in charge....	St. Louis, Mo.....	Missouri, Iowa, Nebraska, Kansas, and Oklahoma.
14	Inspector in charge....	Denver, Colo.....	Colorado, Wyoming, and Utah; substation at Salt Lake City.
15	Inspector in charge....	Helena, Mont.....	Montana and Idaho; substation at Havre, Mont.
16	Commissioner of immigration.	Seattle, Wash.....	Washington; port of Seattle and subports of Tacoma, Port Townsend, and Olympia; substations of Spokane and Walla Walla.
17	Inspector in charge....	Portland, Oreg....	Oregon; port of Portland and subport of Astoria.
18	Commissioner of immigration.	San Francisco, Cal.	Northern California and Nevada; port of San Francisco.
19	Inspector in charge....	San Diego, Cal....	Southern California; port of San Diego and substations of Los Angeles and Yuma.
20	Inspector in charge....	Ketchikan, Alaska	Alaska; port of Ketchikan and substations of Skagway and Nome.
21	Commissioner of immigration.	San Juan, P. R...	Porto Rico; port of San Juan and subport of Ponce.
22	Inspector in charge....	Honolulu, Hawaii.	Territory of Hawaii, including all ports.
23	Supervising inspector.	El Paso, Tex.....	Texas, New Mexico, and Arizona; port of El Paso, subports of Nogales, Douglas, Naco, Del Rio, Eagle Pass, Laredo, Hidalgo, and Brownsville; substations of San Antonio, Tucson, and Fort Worth. Also Chinese matters at Galveston and subports.

STATISTICAL RULES.

Manifests required by law:

All passengers incoming;

RULE I. (*a*) The passenger act, approved August 2, 1882 (22 Stat., 186), and the act amendatory thereof, approved February 9, 1905 (33 Stat., pt. 1, p. 711), require that masters of vessels shall deliver to collectors of customs at United States ports lists or manifests of *all passengers* arriving from foreign ports.

Aliens incoming;

Aliens outgoing;

Aliens from insular possessions;

(*b*) By section 12 of the Immigration Act, approved February 20, 1907, masters of vessels are required to deliver manifests of aliens arriving in the United States to immigration officers in charge at port of arrival, and manifests of aliens departing from the United States to collector of customs at port of departure. The said act also requires that manifests of aliens sailing from the Philippine Islands, Guam, Porto Rico, and Hawaii for any port of the United States on the North American Continent shall be delivered to the immigration officers at such continental port of arrival.

Blanks for, furnished by Department.

(*c*) Blank forms for use in the preparation of manifests are furnished by the Department, the numbers employed for the above-mentioned purposes, respectively, being: For all passengers incoming, Form 1440; for aliens incoming, Forms 500, 500–A, and 500–B; for aliens outgoing, Forms 628, 628–A, and 628–B; and for aliens from insular possessions, Form 629.

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General inward passenger movement:

Duties of collectors concerning;

RULE II. (*a*) Collectors of customs shall prepare from the passenger lists (Form 1440) which are in their custody a monthly statement showing, by sex, the total number of United States citizens and total number of passengers arriving each month, and deliver such statement to the immigration officer in charge at the port of entry.

(*b*) Collectors should exercise such supervision over the preparation of passenger lists as lies within their power, and should provide facilities for the examination of said lists by immigration officers with a view to prevent or to correct errors therein.

Duties of immigration officers concerning.

RULE III. (*a*) Immigration officers are directed to prepare from statements furnished by collectors and from data taken from inward alien manifests (Forms 500, 500–A, and 500–B) monthly reports on Form 619, showing (1) total number of immigrant aliens admitted, by sex; (2) total number of nonimmigrant aliens admitted, by sex; (3) total number of United States citizens arrived, by sex; (4) total number aliens debarred, by sex.

(*b*) In preparing this information from two sources, one of which is not checked by any Government officer, immigration officials should be watchful for inconsistencies, especially with regard to the data taken from passenger lists, and, when necessary, should examine those lists with a view to avoid or to correct errors.

Alien inward passenger movement:

Data to be compiled from manifests covering—

RULE IV. From the manifests of inward-bound alien passengers (Forms 500, 500–A, and 500–B) shall be compiled the following data: Whether immigrant or nonimmigrant alien; age; sex; calling or occupation; whether able to read and whether able to write; race or people; country of last permanent residence; destination (future permanent residence); amount of money; whether ever before in the United States; by whom passage was paid; whether going to join relative or friend, and if so, whom; whether admitted or debarred; if debarred, cause therefor.

Manner of reporting;

RULE V. The above information shall be transferred to monthly statistical reports, that for immigrant aliens admitted to Form 601–606 and 619, inclusive, and that for nonimmigrant aliens admitted to Form 619, 620, and 651–656, inclusive.

Revision of manifests covering—

Officers to inform themselves of duties respecting;

RULE VI. Inspectors and other employees should familiarize themselves with the character of data required for statistical purposes, as herein set forth, in order that the different items of information may be properly checked and revised on the inward alien manifests (Forms 500, 500–A, and 500–B) during the personal examination of aliens, whether they arrive in the first or second cabin or steerage. After the revision the entries upon manifests should be sufficiently complete to enable statisticians to compile intelligently and accurately therefrom the statistical data required.

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Alien inward passenger movement:

RULE VII. Arriving aliens whose permanent residence has been outside of the United States, and who intend to reside permanently in the United States, are classed as immigrant aliens. This includes residents and citizens of foreign contiguous territory. Immigrant aliens admitted will be reported in statistics on Form 601–606 and 619.

Meaning of terms employed in manifests and statistics of and instructions regarding—

"Immigrant aliens;"

RULE VIII. Alien residents returning from a temporary trip abroad, and aliens residing abroad, coming to the United States for a temporary trip, shall be classed as nonimmigrant aliens (except as provided by Rule IX). Inspection officers engaged in revising manifests are directed to see that all nonimmigrant aliens are distinctly indicated as such on manifests. Nonimmigrant aliens admitted should be reported on statistical Forms 619, 620, and 651–656.

"Nonimmigrant aliens;"

One-year residents of foreign contiguous territory;

RULE IX. Aliens who have resided in foreign contiguous territory for one year or more and who are coming to the United States only for temporary sojourn therein should not be reported as nonimmigrant aliens and should not be recorded in any immigration report. Aliens who have resided in foreign contiguous territory less than one year, who come for temporary sojourn, should be recorded as nonimmigrant aliens.

"Calling or occupation;"

RULE X. (*a*) Occupations should be described as definitely as possible in manifests, as, for example, civil engineer, mining engineer, locomotive engineer, stationary engineer, brass polisher, steel polisher, iron molder, wood turner, etc., and not simply as engineer, polisher, molder, turner, or other indefinite designation.

Divisions of;

(*b*) The various occupations are classified in statistical reports under three general heads, namely, "Professional," "Skilled," and "Miscellaneous." Dependent women and children and other aliens without occupation should be classified as "No occupation." Occupations not listed in said reports should be recorded by statisticians as "Other professional," "Other skilled," or "Other miscellaneous." In determining to which of these three classes aliens belong, the following instructions should govern:

Professional occupations;

(*c*) *Professional.*—Occupations which properly involve a liberal education, or its equivalent, and mental rather than manual labor, should be classed as "Professional."

Skilled occupations;

(*d*) *Skilled.*—Occupations which properly involve special training and manual dexterity, as the learning of a trade, should be classed as "Skilled."

Miscellaneous occupations;

(*e*) *Miscellaneous.*—Occupations other than professional and skilled should be classed as "Miscellaneous."

Farmers and farm laborers;

(*f*) A distinction should be made between farmers and farm laborers. A farmer is one who operates a farm, either for himself or others. A farm laborer is one who works on a farm for the man who operates it. Steamship companies should make this distinction on manifests, and corrections should be made, if necessary, by inspection officers during the examination of aliens.

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Alien inward passenger movement:

Meaning of terms employed, etc.—

"Race or people;"

RULE XI. (*a*) "Race or people" should be determined by the stock from which aliens sprang and the language they speak. Special attention should be paid to showing this information independently either of country as representing nationality or country as representing last permanent residence, and with respect to these points manifests should be carefully revised by inspection officers. For the convenience of steamship companies and inspection officers, a list of races is shown on the back of manifests. Certain distinctions with regard to race or people are pointed out, as follows:

Distinctions regarding;

"Cuban;"

(*b*) *Cuban.*—The term "Cuban" refers to the Cuban people (not Negroes).

"West Indian;"

(*c*) *West Indian.*—"West Indian" refers to the people of the West Indies other than Cuba (not Negroes).

"Spanish-American;"

(*d*) *Spanish-American.*—"Spanish-American" refers to the people of Central and South America of Spanish descent.

"African (black);"

(*e*) *African (black).*—"African (black)" refers to the African Negro, whether coming from Cuba or other islands of the West Indies, North or South America, Europe, or Africa. All aliens whose appearance indicates an admixture of negro blood should be classified under this heading.

"Italian (North);"

(*f*) *Italian (North).*—The people who are native to the basin of the River Po in northern Italy (i. e., Compartments of Piedmont, Lombardy, Venetia, and Emilia), and their descendants, whether residing in Italy, Switzerland, Austria-Hungary, or any other country, should be classed as "Italian (North)." Most of these people speak a Gallic dialect of the Italian language.

"Italian (South);"

(*g*) *Italian (South).*—The people who are native to that portion of Italy south of the basin of the River Po (i. e., Compartments of Liguria, Tuscany, the Marches, Umbria, Rome, the Abruzzi and Molise, Campania, Apulia, Basilicata, Calabria, Sicily, and Sardinia), and their descendants, should be classed as "Italian (South)."

"Country of last permanent residence;"

RULE XII. An intended residence of twelve months, whether past or future, shall constitute "permanent residence." The last country in which alien resided with the intention of remaining as long as twelve months shall be the "last permanent residence" regardless of the length of actual residence therein. The last permanent residence should be entered in column 10 of Manifest. Intended future permanent residence should be entered in column 12 as representing "final destination." Name of the State and city should be given if within the United States; name of country if outside of the United States.

"Amount of money brought;"

RULE XIII. (*a*) Money brought by the head of a family should not be divided among the several members thereof.

(*b*) On Form 602 under the head of "Aliens bringing less than $50" should be recorded only aliens with money, but less than $50.

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Alien inward passenger movement:

Meaning of terms employed, etc.—"Admitted and debarred;"

RULE XIV. (*a*) Aliens should be reported as admitted or debarred in the month in which final action is taken, regardless of the date of arrival of the ship bringing them. Aliens debarred should not be reported as debarred until placed on shipboard for deportation, and then should be recorded in the monthly statistics only on Forms 602–A and 619. The number of immigrant and nonimmigrant aliens actually admitted and the number of aliens debarred, as reported in the monthly statistical reports, should correspond with the numbers entered on lines 1, 2, and 3 of the monthly agreement statement (Form 519). The total of quarter-monthly reports of aliens debarred should correspond with the number so recorded on Forms 602–A, 619, and 519.

Debarred residents of foreign contiguous territory;

(*b*) Aliens applying for admission from foreign contiguous territory who have resided therein less than one year, and those who have resided therein for one year or more who apply for admission with the intention of permanent residence in the United States, if debarred, shall be reported on Forms 602–A, 619, and 519. Aliens from foreign contiguous territory who have resided therein more than one year and who apply for admission only for temporary sojourn in the United States if debarred should be reported only on Form 580.

Monthly statistical reports on, and method of preparation—

RULE XV. (*a*) The work of compiling statistical information at each port should be kept closely up to date, and the statistical reports on Forms 601–606, 619, 620, and 651–656, should be forwarded to the Bureau at the earliest possible moment after the close of each month, accompanied by the statement of agreement on Form 519, and reports of appeals. To assist in accomplishing this end the following instructions should be observed by the larger ports:

Instructions re, for larger ports;

Use of tally and transfer sheets of;

(*b*) Blank tally and transfer sheets, to which statistical information is transferred from the original manifests, are furnished for use at the larger ports. The various items of statistical information for a convenient number of aliens should be transferred to the tally sheets (Forms 611 and 612), which should be added and balanced to prove their accuracy and then entered on transfer sheets (Forms 613–618). The transfer sheets should carry the record for an entire month, and when added and balanced at the close thereof the data should be recorded in the monthly statistical reports.

Disposition and method of recording on manifests;

(*c*) Manifests should form a permanent record of the disposition of all arriving aliens. On primary inspection all aliens admitted and all aliens detained should be so designated on manifests. Day by day, as final disposition is made of those detained on primary inspection, record thereof should be made opposite the names on the manifests, and also on the cards mentioned in the following paragraph in cases where statistical data regarding

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the aliens have been entered on such cards. Debarred aliens should be considered as detained (pending) until actually placed on shipboard for deportation.

Alien inward passenger movement:

Monthly statistical reports, etc.—

(*d*) Thus, at the time the statistical information is tallied from the manifests such manifests will show which aliens, up to date the tally is made, have been actually admitted, which finally debarred, and which are still detained (pending). The statistical data with regard to those shown on manifests as actually admitted, and debarred, at the time the tally is made should be regularly transferred to tally sheets; for aliens still detained (pending), however, the data should not then be transferred to tally sheets, but to cards (Form 600) entitled "Statistical data for detained alien."

Debarred aliens to be regarded as "pending" until deported;

Use of "Statistical data for detained alien" cards, in preparing;

(*e*) When the admissibility of the aliens recorded on these cards is finally determined, the disposition and date of disposition should be entered on the card (and also on the manifest), and the statistical data regarding such aliens should then be transferred direct from the cards to the tally sheets, avoiding the necessity of going through the manifests a second time for statistical data regarding aliens whose admissibility was undetermined when the first tally was made.

Disposition entered thereon;

Data to be transferred from cards to tally sheets;

(*f*) The tallying for the month should be completed on the day following the close thereof. Statistical information with regard to aliens still detained at the close of the month (and therefore not included in the month's statistics) should by this plan be entered on cards, which will offer a convenient means of separating aliens pending at close of month.

Closing of month's business;

RULE XVI. (*a*) Daily reports of alien arrivals, quarter-monthly reports of aliens debarred and returned, and weekly reports of aliens detained should be regularly forwarded to the Bureau of Immigration and Naturalization after the close of the periods to which they relate. Aliens who refuse to pay head tax and stowaways are not considered to be applicants for admission and are not recorded in said reports. Aliens who have resided continuously in Canada, Newfoundland, or Mexico for one year or more next preceding application for admission to the United States (unless coming for permanent residence in the United States), and arrivals in continental United States from insular possessions, are not accounted for in immigration statistics. They should not, therefore, be included in these reports. All other arriving aliens, including those who have resided in Canada, Newfoundland, or Mexico for one year or more who are coming for permanent residence, all aliens who have resided in Canada, Newfoundland, or Mexico less than one year, citizens of Cuba, alien Chinese, and deserting alien seamen, whether or not apprehended, should be included in these reports.

Reports concerning, and method of preparation—

Daily of arriving, quarter-monthly of debarred and returned, and weekly of detained aliens;

What aliens not included in;

Included in;

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Alien inward passenger movement:

Reports concerning, and method of preparation—

Particulars regarding daily reports;

(*b*) In daily reports, entries on each line under the head of "Total alien arrivals" should represent the total of entries under the heads of first and second cabins, steerage, and deserting alien seamen. Each column should also be totaled at the bottom. The total number reported in the daily reports during the month should be shown on line 18 of the monthly agreement statement.

Particulars regarding quarter-monthly reports;

(*c*) In preparing quarter-monthly reports of debarred aliens, while it is expected that all required information will be carefully recorded therein, especial care should be exercised to accurately record the foreign port of embarkation, steamship line, and cause of deportation. Under the latter heading names of diseases should be shown in cases of aliens deported because of disease. The total recorded on these reports each month should agree with the number reported in Forms 602–A and 619, and the number recorded on line 3 of the monthly agreement statement.

Statutory reasons for debarment to be given;

(*d*) As no alien can be debarred from the United States except for a statutory reason, no other reason for exclusion should be given in statistical reports. A list of causes of exclusion is given on Form 602–A.

Monthly reports of appeals and bond cases;

RULE XVII. The monthly reports of appeals and applications for admission under bond to the Department should show the number of persons whose admission or rejection depends upon the decision of the Department. Appeals and applications under the immigration laws should be reported on Form 547; appeals under the laws governing the admission of Chinese on Form 428. Appeals for all classes of aliens, including all residents of Canada, Newfoundland, or Mexico, should be included in these reports.

Statement of agreement.

RULE XVIII. The statement on Form 519 should show an agreement between aliens accounted for in the monthly statistics, arrivals reported in daily reports, and the amount of head tax collected, and should be forwarded to the Bureau accompanied by the monthly statistical reports and reports of appeals. The entries on lines 1, 2, and 3 of the agreement statement should correspond, respectively, with the totals shown in the statistical reports of "Immigrant aliens admitted," "Nonimmigrant aliens admitted," and "Aliens debarred." The total number reported in the daily reports during the month should agree with the entry on line 18, and the total number on account of whom head tax is collected should correspond with the entry on line 38. Instructions accompanying the statement of agreement give detailed information with regard to its preparation.

Special instructions regarding exceptional cases—

Residents of British North America and Mexico.

RULE XIX. Aliens who have resided in Canada, Newfoundland, or Mexico continuously for one year or more next preceding application for admission to the United States are exempt from head tax. If such aliens come to the United States for permanent residence, they should

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be manifested and included in statistics as immigrant aliens and should be included in other immigration reports. If they come only for temporary sojourn, they should not be manifested (but a record should be made of their admission for possible future use, if verification of entry should be required) and should not be recorded as nonimmigrant aliens, and should not be included in statistics nor in other immigration reports, unless debarred, in which case they should be reported only on Form 580, report of aliens refused admission from foreign contiguous territory. Aliens who have resided in Canada, Newfoundland, or Mexico less than one year and all residents and citizens of Canada, Newfoundland, or Mexico coming from countries other than Canada, Newfoundland, or Mexico are manifested, and are included in statistics the same as other aliens who come from countries other than Canada, Newfoundland, Mexico, or Cuba.

Alien inward passenger movement:
Exceptional cases—

RULE XX. Aliens who have resided in Cuba for one year or more next preceding departure for the United States are exempt from head tax, but all aliens from Cuba should be regularly manifested, examined as to their admissibility, and included in statistics and other immigration reports.

Residents of Cuba;

RULE XXI. Citizens of Porto Rico, the Philippine Islands, Guam, and the Hawaiian Islands are exempt from the provisions of the immigration laws, and should not be examined thereunder or reported in immigration statistics or other immigration reports. Alien Chinese from island possessions, however, are subject to the laws governing the admission of Chinese. (See sec. 1, act of April 29, 1902, 32 Stat., part 1, p. 176.) All aliens from such possessions should be manifested on Form 629.

Citizens of and aliens from insular possessions;

RULE XXII. Aliens arriving in this country en route to any of the island possessions of the United States are to be examined under the immigration laws as to their right of entry, are subjects for head tax if belonging to the taxable class, and are to be included in immigration statistics and other immigration reports in the same manner as if their destination were within continental United States.

Arriving aliens en route to insular possessions;

RULE XXIII. All deserting alien seamen should be included in daily reports of arrivals, whether or not apprehended, and whether or not by deserting their ships they intend to abandon their calling as seamen. Head tax should not be collected and they should not be included in statistics, unless it appears that by so deserting they intend to abandon their calling as seamen and remain in the United States. In order to show them as included in the daily reports, and excluded from head tax collection, all deserting alien seamen should be recorded on line 6 and line 25, 26, or 27 of monthly agreement statement. If, however, it develops that any such deserters intend to abandon their calling and remain in the United States, head tax should be collected, and they

Deserting alien seamen;

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Alien inward passenger movement:

Exceptional cases—

should be included in statistics. They should also be reported on line 15 and line 34 or 35 of agreement statement, in order to deduct the excess number included in statistics from the daily reports, and to add the number upon whom head tax is collected.

Stowaways;

RULE XXIV. Stowaways are not regarded as aliens applying for admission to the United States and they should not be included in immigration statistics. The number of such cases each month should, however, be reported on line 40 of agreement statement (Form 519).

Aliens who refuse to pay head tax;

RULE XXV. Aliens applying for admission who refuse to pay head tax should not be considered as applicants for admission, and should not be reported in any immigration report. The number of such cases should, however, be reported on line 41 of agreement statement (Form 519).

Aliens who die or escape;

RULE XXVI. If aliens who have been included in daily reports of arrivals die or escape before admission or deportation, they should not be included in statistical reports, but should be accounted for on lines 9 and 10 of agreement statement. If such escaped aliens are afterwards apprehended, they should be regularly entered in the monthly statistical reports and again accounted for on line 16 of agreement statement.

Chinese subject to immigration laws and regulations;

RULE XXVII. Chinese should be listed in the regular inward alien manifests (Forms 500, 500–A, and 500–B) and examined under the immigration laws, in addition to being listed in Chinese manifests (Form 418), examined, and reported in the quarter-monthly reports, under the Chinese regulations. Alien Chinese are subjects for head tax, and should be reported in regular immigration statistics and other immigration reports. Chinese admitted as aliens under the laws governing the admission of Chinese shall be classed under the immigration laws as aliens, and those admitted as United States citizens shall be so considered under the immigration laws.

General outward passenger movement.

RULE XXVIII. At the close of each quarter year the collector of customs at each port will forward to the Bureau of Immigration and Naturalization a statement on Form 1171 of all passengers departed for foreign countries from his port.

Alien outward passenger movement:

Delivery of manifests covering;

RULE XXIX. Manifests of outward-bound aliens (on Forms 628, 628–A, and 628–B) shall be delivered to collectors of customs within sixty days after the departure of a vessel from a United States port. The collector of customs shall deliver the said manifests to the officer in charge of immigration matters at his port; and the said immigration officer shall cause to be prepared from said manifests monthly statistical reports of departing aliens, using Forms 621–627 and 631–636, inclusive.

Classifying emigrant and nonemigrant aliens;

RULE XXX. Departing aliens shall be divided into the two classes—emigrant and nonemigrant aliens. Those whose permanent residence has been in the United States, who intend to reside permanently outside, shall be classed

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as "emigrant aliens." Alien residents leaving the United States with the intention of remaining abroad but temporarily and alien nonresidents leaving after a temporary sojourn in the United States shall be classed as "nonemigrant aliens." Alien outward passenger movement:

RULE XXXI. Emigrant aliens departing shall be recorded in monthly statistical reports on Forms 621–626, inclusive, and nonemigrant aliens departing in monthly statistical reports on Forms 631–636, inclusive, to show sex, age, place of last residence, length of residence in the United States, country of intended future residence, race or people, and occupation. Items to be recorded in statistics concerning.

RULE XXXII. (*a*) Section 1 of the act of Congress approved June 29, 1906, entitled "An act to establish a Bureau of Immigration and Naturalization, and to provide for a uniform rule for the naturalization of aliens throughout the United States" (34 Stat., pt. 1, p. 596), provides that there shall be maintained at the various immigration stations "books of record" containing certain specified information as to every alien admitted. Record books and card indexes required by naturalization law:

(*b*) It is hereby ordered that the manifests of aliens (Forms 500, 500–A, and 500–B) shall constitute the "book of record" required by the statute referred to, and that all completed manifests shall be arranged chronologically, bound permanently in books of 150 manifests, and carefully preserved for reference. Due precautions must be taken to guard against the possible loss or destruction of manifests, whether bound or not. What shall constitute;

(*c*) Inspection officers are directed to give particular attention to procuring the supplemental information called for in columns 25 to 29 of the manifest, supplying any deficiencies which may be found to exist and carefully verifying the information set forth under the respective headings. Officers to supply deficiencies in;

(*d*) All aliens from Canada and Mexico applying for admission to the United States, except those who have resided in Canada or Mexico for one year or more who are coming for temporary sojourn in the United States, shall be regularly manifested both for statistical and naturalization purposes. What aliens from Canada and Mexico to be manifested;

(*e*) To facilitate reference to the permanent record herein constituted, the names of all aliens shall be card indexed (Form 502 being used for that purpose), a card to be made out for each and every alien admitted to the United States, except those who have resided in Canada or Mexico for one year or more who are coming for temporary sojourn in the United States. The index cards shall be carefully and accurately prepared and placed in card-index cabinets provided for that purpose, alphabetical guide cards being used, to whatever extent may be necessary, to insure proper subdivision of the record cards. Commissioners of immigration and inspectors in charge shall apply to the Bureau for any special in- Preparation of card indexes.

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Record books and card indexes required by naturalization law:

structions or information desired in regard to indexing, card cabinets, preparation and binding of manifests, etc. Whenever practicable, index cards shall be typewritten to insure legibility, black record typewriter ribbons to be used. In the event of possible confusion of the surname and given name, one card to be made for each combination, thus insuring an accurate cross-reference index.

DAN'L J. KEEFE,
Commissioner-General of Immigration.

Approved December 15, 1909.

BENJ. S. CABLE,
Acting Secretary.

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APPENDIX.

LAWS NOT REPEALED OR REENACTED BY THE IMMIGRATION ACT OF FEBRUARY 20, 1907.

ACT OF AUGUST 3, 1882.

AN ACT to regulate immigration.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there shall be levied, collected, and paid a duty of fifty cents for each and every passenger not a citizen of the United States who shall come by steam or sail vessel from a foreign port to any port within the United States. The said duty shall be paid to the collector of customs of the port to which such passenger shall come, or if there be no collector at such port, then to the collector of customs nearest thereto, by the master, owner, agent, or consignee of every such vessel, within twenty-four hours after the entry thereof into such port. The money thus collected shall be paid into the United States Treasury and shall constitute a fund to be called the immigrant fund and shall be used, under the direction of the Secretary of Commerce and Labor, to defray the expense of regulating immigration under this act and for the care of immigrants arriving in the United States, for the relief of such as are in distress, and for the general purposes and expenses of carrying this act into effect. The duty imposed by this section shall be a lien upon the vessels which shall bring such passengers into the United States, and shall be a debt in favor of the United States against the owner or owners of such vessels, and the payment of such duty may be enforced by any legal or equitable remedy: *Provided*, That no greater sum shall be expended for the purposes hereinbefore mentioned, at any port, than shall have been collected at such port.[a]

Head tax: Amount; By whom and to whom paid, within 24 hours after arrival; To constitute Immigrant fund; How collection enforced.

* * * * *

Approved August 3, 1882 (22 Stat., 214).

[a] See section 1, act February 20, 1907, and Rules 1, 2, and 3.

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ACT OF FEBRUARY 26, 1885.

AN ACT to prohibit the importation and immigration of foreigners and aliens under contract or agreement to perform labor in the United States, its Territories, and the District of Columbia.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, * * *

Contract labor:
Contracts for alien labor declared void.

SEC. 2. That all contracts or agreements, express or implied, parol or special, which may hereafter be made by and between any person, company, partnership, or corporation, and any foreigner or foreigners, alien or aliens, to perform labor or service or having reference to the performance of labor or service by any person in the United States, its Territories, or the District of Columbia, previous to the migration or importation of the person or persons whose labor or service is contracted for into the United States, shall be utterly void and of no effect.[a]

* * * * *

Approved February 26, 1885 (23 Stat., 332).

ACT OF MARCH 3, 1891.

AN ACT in amendment to the various acts relative to immigration and the importation of aliens under contract or agreement to perform labor.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, * * *

Superintendent of Immigration:
Office created; Salary fixed.

SEC. 7. That the office of superintendent of immigration is hereby created and established, and the President, by and with the advice and consent of the Senate, is authorized and directed to appoint such officer, whose salary shall be four thousand dollars per annum, payable monthly. The superintendent of immigration shall be an officer in the Department of Commerce and Labor, under the control and supervision of the Secretary of Commerce and Labor, to whom he shall make annual reports in writing of the transactions of his office, together with such special reports, in writing, as the Secretary of Commerce and Labor shall require. The Secretary shall provide the superintendent with a suitably furnished office in the city of Washington, and with such books of record and facilities for the discharge of the duties of his office as may be necessary. He shall have a chief clerk at a salary of two thousand dollars per annum, and two first-class clerks.[b]

* * * * *

Approved March 3, 1891 (26 Stat., 1084).

[a] See sections 2, 4, 5, and 6, act February 20, 1907.

[b] See section 1, act March 2, 1895, and section 22, act February 20, 1907.

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ACT OF FEBRUARY 15, 1893.

AN ACT granting additional quarantine powers and imposing additional duties upon the Marine-Hospital Service.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, * * *

Quarantine: President given extraordinary power to suspend immigration.

SEC. 7. That whenever it shall be shown to the satisfaction of the President that by reason of the existence of cholera, or other infectious or contagious diseases, in a foreign country there is serious danger of the introduction of the same into the United States, and that notwithstanding the quarantine defense this danger is so increased by the introduction of persons or property from such country that a suspension of the right to introduce the same is demanded, in the interest of the public health, the President shall have power to prohibit, in whole or in part, the introduction of persons and property from such countries or places as he shall designate and for such period of time as he may deem necessary.

* * * * *

Approved February 15, 1893 (27 Stat., 449).

ACT OF MARCH 3, 1893.

AN ACT to facilitate the enforcement of the immigration and contract-labor laws of the United States.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, * * *

Certificates: Required of steamship companies re posting laws in foreign offices;

SEC. 8. That all steamship or transportation companies, and other owners of vessels, regularly engaged in transporting alien immigrants to the United States, shall twice a year file a certificate with the Secretary of Commerce and Labor that they have furnished to be kept conspicuously exposed to view in the office of each of their agents in foreign countries authorized to sell emigrant tickets, a copy of the law of March third, eighteen hundred and ninety-one, and of all subsequent laws of this country relative to immigration, printed in large letters, in the language of the country where the copy of the law is to be exposed to view, and that they have instructed their agents to call the attention thereto of persons contemplating emigration before selling tickets to them; and in case of the failure for sixty days of any such company or any such owners to file such a certificate, or in case they file a false certificate, they shall pay a fine of not exceeding five hundred dollars, to be recovered in the proper United States court, and said fine shall also be a lien upon any vessel of said company or owners found within the United States.[a]

Penalty for failure.

* * * * *

Approved March 3, 1893 (27 Stat., 569).

[a] See Rule 44 for time of filing.

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ACT OF AUGUST 18, 1894.

AN ACT making appropriations for sundry civil expenses of the Government for the fiscal year ending June thirtieth, eighteen hundred and ninety-five, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, * * *

Commissioners of immigration: Appointed by President.

The commissioners of immigration at the several ports shall be appointed by the President, by and with the advice and consent of the Senate, to hold their offices for the term of four years, unless sooner removed, and until their successors are appointed; and nominations for such offices shall be made to the Senate by the President as soon as practicable after the passage of this act.[a]

Approved August 18, 1894 (28 Stat., 372).

ACT OF MARCH 2, 1895.

AN ACT making appropriations for the legislative, executive, and judicial expenses of the Government for the fiscal year ending June thirtieth, eighteen hundred and ninety-six, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, * * *

BUREAU OF IMMIGRATION.

Commissioner-General: Title created; Administration contract-labor laws placed under;

That the Superintendent of Immigration shall hereafter be designated as Commissioner-General of Immigration, and, in addition to his other duties, shall have charge, under the Secretary of Commerce and Labor, of the administration of the alien contract-labor laws, etc.[a]

Approved March 2, 1895 (28 Stat., 764).

ACT OF JUNE 6, 1900.

AN ACT making appropriations for sundry civil expenses of the Government for the fiscal year ending June thirtieth, nineteen hundred and one, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, * * * and hereafter the Commissioner-General of Immigration, in addition to his other duties, shall have charge of the administration of the Chinese-exclusion law and of the various acts regulating immigration into the United States, its Territories, and the District of Columbia, under the supervision and direction of the Secretary of Commerce and Labor.

Chinese-exclusion law placed under.

Approved June 6, 1900 (31 Stat., 611).

[a] See section 7, act March 3, 1891, and section 22, act February 20, 1907.

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ACT OF APRIL 29, 1902.

AN ACT to prohibit the coming into and to regulate the residence within the United States, its Territories, and all territory under its jurisdiction, and the District of Columbia, of Chinese and persons of Chinese descent.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, * * *

Fairs and expositions: Exceptions in favor of exhibitors at.

SEC. 3. That nothing in the provisions of this Act or any other Act shall be construed to prevent, hinder, or restrict any foreign exhibitor, representative, or citizen of any foreign nation, or the holder, who is a citizen of any foreign nation, of any concession or privilege from any fair or exposition authorized by Act of Congress from bringing into the United States, under contract, such mechanics, artisans, agents, or other employees, natives of their respective foreign countries, as they or any of them may deem necessary for the purpose of making preparation for installing or conducting their exhibits or of preparing for installing or conducting any business authorized or permitted under or by virtue of or pertaining to any concession or privilege which may have been or may be granted by any said fair or exposition in connection with such exposition, under such rules and regulations as the Secretary of Commerce and Labor may prescribe, both as to the admission and return of such person or persons.

* * * * *

Approved April 29, 1902 (32 Stat., part 1, p. 176).

ACT OF FEBRUARY 3, 1905.

AN ACT making appropriations for the legislative, executive, and judicial expenses of the Government for the fiscal year ending June thirtieth, nineteen hundred and six, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, * * *

BUREAU OF IMMIGRATION.

* * * * *

Head tax: Refund of, when erroneously collected.

Provided, That the Commissioner-General of Immigration, with the approval of the Secretary of Commerce and Labor, shall have power to refund head tax heretofore and hereafter collected under section one of the immigration Act approved March third, nineteen hundred and three, upon presentation of evidence showing conclusively that such collection was erroneously made.[a]

Approved February 3, 1905 (33 Stat., part 1, p. 631).

[a] See Rules 1 and 41.

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ACT OF FEBRUARY 6, 1905.

AN ACT to amend an Act approved July first, nineteen hundred and two, entitled "An Act temporarily to provide for the administration of the affairs of civil government in the Philippine Islands, and for other purposes," and to amend an Act approved March eighth, nineteen hundred and two, entitled "An Act temporarily to provide revenue for the Philippine Islands, and for other purposes," and to amend an Act approved March second, nineteen hundred and three, entitled "An Act to establish a standard of value and to provide for a coinage system in the Philippine Islands," and to provide for the more efficient administration of civil government in the Philippine Islands, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, * * *

Philippine Islands: Enforcement immigration laws therein; Collection head tax thereon.

SEC. 6. That the immigration laws of the United States in force in the Philippine Islands shall be administered by the officers of the general government thereof designated by appropriate legislation of said government, and all moneys collected under said laws as duty or head tax on alien immigrants coming into said islands shall not be covered into the general fund of the Treasury of the United States, but shall be paid into the treasury of said islands to be used and expended for the government and benefit of said islands.

* * * * *

Approved February 6, 1905 (33 Stat., 689).

ACT OF MARCH 3, 1905.

AN ACT making appropriations for sundry civil expenses of the Government for the fiscal year ending June thirtieth, nineteen hundred and six, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, * * *

Subscriptions: To be paid in advance.

Provided, That the annual subscriptions for publications for use in the immigration service at large may be paid in advance.

Approved March 3, 1905 (33 Stat., part 1, p. 1156).

ACT OF JUNE 29, 1906.

AN ACT to establish a Bureau of Immigration and Naturalization, and to provide for a uniform rule for the naturalization of aliens throughout the United States.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the designation of the Bureau of Immigration in the Department of Commerce and Labor is hereby changed to the "Bureau of Immigration and Naturalization," which said Bureau, under the direction and control of the Secretary of Commerce and Labor, in addition to

Bureau of Immigration: Title changed to Bureau of Immigration and Naturalization.

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the duties now provided by law, shall have charge of all matters concerning the naturalization of aliens. That it shall be the duty of the said Bureau to provide, for use at the various immigration stations throughout the United States, books of record, wherein the commissioners of immigration shall cause a registry to be made in the case of each alien arriving in the United States from and after the passage of this Act of the name, age, occupation, personal description (including height, complexion, color of hair and eyes), the place of birth, the last residence, the intended place of residence in the United States, and the date of arrival of said alien, and, if entered through a port, the name of the vessel in which he comes. And it shall be the duty of said commissioners of immigration to cause to be granted to such alien a certificate of such registry, with the particulars thereof.[a]

* * * * *

Approved June 29, 1906 (34 Stat., part 1, p. 596).

ACT OF MARCH 2, 1907.

AN ACT in reference to the expatriation of citizens and their protection abroad.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of State shall be authorized, in his discretion, to issue passports to persons not citizens of the United States as follows: Where any person has made a declaration of intention to become such a citizen as provided by law and has resided in the United States for three years a passport may be issued to him entitling him to the protection of the Government in any foreign country: *Provided*, That such passport shall not be valid for more than six months and shall not be renewed, and that such passport shall not entitle the holder to the protection of this Government in the country of which he was a citizen prior to making such declaration of intention.

Passports:

When issued to persons not citizens;

Not valid in country of alien's former domicile.

SEC. 2. That any American citizen shall be deemed to have expatriated himself when he has been naturalized in any foreign state in conformity with its laws, or when he has taken an oath of allegiance to any foreign state.

Expatriation: How effected;

When any naturalized citizen shall have resided for two years in the foreign state from which he came, or for five years in any other foreign state it shall be presumed that he has ceased to be an American citizen, and the place of his general abode shall be deemed his place of residence during said years: *Provided, however*, That such presumption may be overcome on the presentation of satisfactory evidence to a diplomatic or consular officer of the

How presumption overcome.

[a] For naturalization laws and regulations drawn thereunder, see pamphlet entitled "Naturalization Laws and Regulations."

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United States, under such rules and regulations as the Department of State may prescribe: *And provided also*, That no American citizen shall be allowed to expatriate himself when this country is at war.

Marriage:

How affects status of woman marrying foreigner;

SEC. 3. That any American woman who marries a foreigner shall take the nationality of her husband. At the termination of the marital relation she may resume her American citizenship, if abroad, by registering as an American citizen within one year with a consul of the United States, or by returning to reside in the United States, or, if residing in the United States at the termination of the marital relation, by continuing to reside therein.

Of foreign woman marrying American.

SEC. 4. That any foreign woman who acquires American citizenship by marriage to an American shall be assumed to retain the same after the termination of the marital relation if she continues to reside in the United States, unless she makes formal renunciation thereof before a court having jurisdiction to naturalize aliens, or if she resides abroad she may retain her citizenship by registering as such before a United States consul within one year after the termination of such marital relation.

Minor children:

Born outside United States, how citizenship resumed, and when takes effect.

SEC. 5. That a child born without the United States of alien parents shall be deemed a citizen of the United States by virtue of the naturalization of or resumption of American citizenship by the parent: *Provided*, That such naturalization or resumption takes place during the minority of such child: *And provided further*, That the citizenship of such minor child shall begin at the time such minor child begins to reside permanently in the United States.

Foreign born, citizens under sec. 1993, R. S.: Assumption of citizenship by.

SEC. 6. That all children born outside the limits of the United States who are citizens thereof in accordance with the provisions of section nineteen hundred and ninety-three of the Revised Statutes of the United States[a] and who continue to reside outside the United States shall, in order to receive the protection of this Government, be required upon reaching the age of eighteen years to record at an American consulate their intention to become residents and remain citizens of the United States and shall be further required to take the oath of allegiance to the United States upon attaining their majority.

Evidence:

To be filed with State Department.

SEC. 7. That duplicates of any evidence, registration, or other acts required by this Act shall be filed with the Department of State for record.

Approved March 2, 1907.

[a] Sec. 1993, Revised Statutes, reads as follows: "All children heretofore born or hereafter born out of the limits and jurisdiction of the United States, whose fathers were or may be at the time of their birth citizens thereof, are declared to be citizens of the United States; but the rights of citizenship shall not descend to children whose fathers never resided in the United States."

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DEPARTMENT OF COMMERCE AND LABOR

BUREAU OF IMMIGRATION AND NATURALIZATION

Immigration Laws

and

Regulations of July 1, 1907

Ninth Edition, February 15, 1910

Embodying Amendments to Rules 11, 23, 35, 48 also new Rule 49 (See Topical Index)

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IMMIGRATION LAWS AND REGULATIONS.

IMMIGRATION ACT OF FEBRUARY 20, 1907.

NOTE.—The Immigration Act of February 20, 1907, repeals the act of March 3, 1903, and all prior acts or parts of acts inconsistent with the new law. In the back of this pamphlet are published such portions of the prior acts as are not repealed by or reenacted in the act of February 20, 1907; also the act of March 2, 1907, regarding expatriation. If necessary to refer to the old acts, they may be found in the pamphlets "Immigration Laws and Regulations" heretofore issued, or in the United States Statutes at Large, as follows: Note as to acts published herein.

List of immigration acts.

Act approved March 3, 1875: 18 Stat., part 3, page 477.
Act approved August 3, 1882: 22 Stat., page 214.
Act approved June 26, 1884 (sec. 22 only): 23 Stat., page 58.
Act approved February 26, 1885: 23 Stat., page 332.
Act approved February 23, 1887: 24 Stat., page 414.
Act approved October 19, 1888: 25 Stat., page 565.
Act approved March 3, 1891: 26 Stat., page 1084.
Act approved February 15, 1893 (sec. 7): 27 Stat., page 449.
Act approved March 3, 1893: 27 Stat., page 569.
Act approved August 18, 1894: 28 Stat., page 390.
Act approved March 2, 1895: 28 Stat., page 780.
Act approved June 6, 1900: 31 Stat., page 611.
Act approved April 29, 1902: 32 Stat., part 1, page 176.
Act approved March 3, 1903: 32 Stat., part 1, page 1213.
Act approved March 22, 1904: 33 Stat., part 1, page 144.
Act approved April 28, 1904: 33 Stat., part 1, page 591.
Act approved February 3, 1905: 33 Stat., part 1, page 684.

ACT OF FEBRUARY 20, 1907.

AN ACT to regulate the immigration of aliens into the United States.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there shall be levied, collected, and paid a tax of four dollars for every alien entering the United

Head tax:

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Head tax: To whom paid; By whom paid.

States.[a] The said tax shall be paid to the collector of customs of the port or customs district to which said alien shall come, or, if there be no collector at such port or district, then to the collector nearest thereto, by the master, agent, owner, or consignee of the vessel, transportation line, or other conveyance or vehicle bringing such alien to the United States. The money thus collected, together with all fines and rentals[b] collected under the laws regulating the immigration of aliens into the United States, shall be paid into the Treasury of the United States, and shall constitute a permanent appropriation to be called the "immigrant fund," to be used under the direction of the Secretary of Commerce and Labor to defray the expense of regulating the immigration of aliens into the United States under said laws, including the contract labor laws, the cost of reports of decisions of the Federal courts, and digest thereof, for the use of the Commissioner-General of Immigration, and the salaries and expenses of all officers, clerks, and employees appointed to enforce said laws. The tax imposed by this section shall be a lien upon the vessel, or other vehicle of carriage or transportation bringing such aliens to the United States, and shall be a debt in favor of the United States against the owner or owners of such vessel, or other vehicle, and the payment of such tax may be enforced by any legal or equitable remedy. That the said tax shall not be levied upon aliens who shall enter the United States after an uninterrupted residence of at least one year, immediately preceding such entrance, in the Dominion of Canada, Newfoundland, the Republic of Cuba, or the Republic of Mexico, nor upon otherwise admissible residents of any possession of the United States, nor upon aliens in transit through the United States, nor upon aliens who have been lawfully admitted to the United States and who later shall go in transit from one part of the United States to another through foreign contiguous territory:[c] *Provided*, That the Commissioner-General of Immigration, under the direction or with the approval of the Secretary of Commerce and Labor, by agreement with transportation lines, as provided in section thirty-two of this Act, may arrange in some other manner for the payment of the tax imposed by this section upon any or all aliens seeking admission from foreign contiguous territory:[d] *Provided further*, That if in any fiscal year the amount of money collected under the provisions of this section shall exceed two million five hundred thousand dollars, the excess above

Head tax, fines, and rentals, to constitute—

Immigrant fund: For what used.

Head tax: To be lien upon vessel; How payment enforced; Classes exempted from payment of;

Payment on account aliens from contiguous territory;

No more than $2,500,000 to go into Immigrant fund;

[a] For specific exceptions, see Rule 2.

[b] For method of depositing fines and rentals, see Rule 3; for procedure in collecting fines and reporting suits for collection, see Rules 28, 29, and 30.

[c] See paragraph (*g*), Rule 2.

[d] See Rules 2, 25, and 27.

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that amount shall not be added to the "immigrant fund:" *Provided further*, That the provisions of this section shall not apply to aliens arriving in Guam, Porto Rico, or Hawaii; but if any such alien, not having become a citizen of the United States, shall later arrive at any port or place of the United States on the North American Continent the provisions of this section shall apply:[a] *Provided further*, That whenever the President shall be satisfied that passports issued by any foreign government to its citizens to go to any country other than the United States or to any insular possession of the United States or to the Canal Zone are being used for the purpose of enabling the holders to come to the continental territory of the United States to the detriment of labor conditions therein, the President may refuse to permit such citizens of the country issuing such passports to enter the continental territory of the United States from such other country or from such insular possessions or from the Canal Zone.[b]

Head tax:

Exceptions—Guam, Porto Rico, and Hawaii.

Passports:

If limited and used to detriment labor conditions, holders to be rejected.

SEC. 2. That the following classes of aliens shall be excluded from admission into the United States: All idiots, imbeciles, feeble-minded persons, epileptics, insane persons, and persons who have been insane within five years previous; persons who have had two or more attacks of insanity at any time previously; paupers; persons likely to become a public charge;[c] professional beggars; persons afflicted with tuberculosis or with a loathsome or dangerous contagious disease;[d] persons not comprehended within any of the foregoing excluded classes who are found to be and are certified by the examining surgeon as being mentally or physically defective, such mental or physical defect being of a nature which may affect the ability of such alien to earn a living;[c] persons who have been convicted of or admit having committed a felony or other crime or misdemeanor involving moral turpitude; polygamists, or persons who admit their belief in the practice of polygamy, anarchists, or persons who believe in or advocate the overthrow by force or violence of the Government of the United States, or of all government, or of all forms of law, or the assassination of public officials; prostitutes, or women or girls coming into the United States for the purpose of prostitution or for any other immoral purpose; persons who procure or attempt to bring in pros-

Excluded classes:

Idiots, insane, etc.;

Paupers, persons likely to become a public charge;

Diseased;

Mentally or physically defective;

Criminals;

Polygamists;

Anarchists;

Prostitutes, etc.;

[a] See Rule 2.

[b] For President's proclamation and regulations drawn thereunder, see Rule 21.

[c] For provisions for landing under bond persons likely to become public charges and persons certified for physical defects, see Rule 20.

[d] For provision for placing in hospital, "with the express permission of the Secretary," persons afflicted with tuberculosis or with a loathsome or dangerous contagious disease, see Rule 10.

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Excluded classes: titutes or women or girls for the purpose of prostitution or for any other immoral purpose; persons hereinafter

Contract laborers; called contract laborers, who have been induced or solicited to migrate to this country by offers or promises of employment or in consequence of agreements, oral, written or printed, express or implied, to perform labor in this country of any kind, skilled or unskilled; those who have been, within one year from the date of application for admission to the United States, deported as having been induced or solicited to migrate as above described;

Assisted aliens; any person whose ticket or passage is paid for with the money of another, or who is assisted by others to come, unless it is affirmatively and satisfactorily shown that such person does not belong to one of the foregoing excluded classes, and that said ticket or passage was not paid for by any corporation, association, society, municipality, or foreign government, either directly or indirectly; all children under sixteen years of age, unaccompanied by one or both of their parents, at the discretion of the Secretary of Commerce and Labor or under such regulations as he may from time to time prescribe:[a] *Provided*,

Children under 16;

Exceptions— That nothing in this Act shall exclude, if otherwise admissible, persons convicted of an offense purely political, not involving moral turpitude: *Provided further*, That the provisions of this section relating to the payments for tickets or passage by any corporation, association, society, municipality, or foreign government shall not apply to the tickets or passage of aliens in immediate and continuous transit through the United States to foreign contiguous territory: *And provided further*, That skilled labor may be imported if labor of like kind unemployed can not be found in this country: *And provided further*, That the provisions of this law applicable to contract labor shall not be held to exclude professional actors, artists, lecturers, singers, ministers of any religious denomination, professors for colleges or seminaries, persons belonging to any recognized learned profession, or persons employed strictly as personal or domestic servants.

Offenses political;

Transits;

Skilled labor;

Actors, artists, etc.

Prostitutes: Importation or holding penalized; SEC. 3. That the importation into the United States of any alien woman or girl for the purpose of prostitution, or for any other immoral purpose, is hereby forbidden; and whoever shall, directly or indirectly, import, or attempt to import, into the United States, any alien woman or girl for the purpose of prostitution, or for any other immoral purpose, or whoever shall hold or attempt to hold any alien woman or girl for any such purpose in pursuance of such illegal importation, or whoever shall keep, maintain, control, support, or harbor in any house or other place, for the purpose of prostitution, or for any other immoral purpose, any alien woman or girl, within three years after she shall have entered the United States,

[a] For regulations, see Rule 5.

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shall, in every such case, be deemed guilty of a felony, and on conviction thereof be imprisoned not more than five years and pay a fine of not more than five thousand dollars; and any alien woman or girl who shall be found an inmate of a house of prostitution or practicing prostitution, at any time within three years after she shall have entered the United States, shall be deemed to be unlawfully within the United States and shall be deported as provided by sections twenty and twenty-one of this Act.[a]

Prostitutes:

Deportation of, within three years.

SEC. 4. That it shall be a misdemeanor for any person, company, partnership, or corporation, in any manner whatsoever, to prepay the transportation or in any way to assist or encourage the importation or migration of any contract laborer or contract laborers into the United States, unless such contract laborer or contract laborers are exempted under the terms of the last two provisos contained in section two of this Act.

Contract laborers:

Importation of, forbidden;

SEC. 5. That for every violation of any of the provisions of section four of this Act the person, partnership, company, or corporation violating the same, by knowingly assisting, encouraging, or soliciting the migration or importation of any contract laborer into the United States shall forfeit and pay for every such offense the sum of one thousand dollars, which may be sued for and recovered by the United States, or by any person who shall first bring his action therefor in his own name and for his own benefit, including any such alien thus promised labor or service of any kind as aforesaid, as debts of like amount are now recovered in the courts of the United States; and separate suits may be brought for each alien thus promised labor or service of any kind as aforesaid.[b] And it shall be the duty of the district attorney of the proper district to prosecute every such suit when brought by the United States.

Penalty for importing;

U. S. attorneys to prosecute suits;

SEC. 6. That it shall be unlawful and be deemed a violation of section four of this Act to assist or encourage the importation or migration of any alien by promise of employment through advertisements printed and published in any foreign country; and any alien coming to this country in consequence of such an advertisement shall be treated as coming under promise or agreement as contemplated in section two of this Act, and the penalties imposed by section five of this Act shall be applicable to such a case: *Provided*, That this section shall not apply to States or Territories, the District of Columbia, or places subject to the jurisdiction of the United States advertising the inducements they offer for immigration thereto, respectively.

Advertising for, forbidden;

Exception, in favor States and Territories.

SEC. 7. That no transportation company or owner or owners of vessels, or others engaged in transporting aliens into the United States, shall, directly or indirectly, either by writing, printing, or oral representation, solicit, invite,

Soliciting:

Forbidden on part transportation companies;

[a] See paragraph (*c*), Rule 31, and Rules 34–38.
[b] For method of reporting, see Rule 30.

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Soliciting: or encourage the immigration of any aliens into the United States, but this shall not be held to prevent transportation companies from issuing letters, circulars, or advertisements, stating the sailings of their vessels and terms and facilities of transportation therein; and for a violation of this provision, any such transportation company, and any such owner or owners of vessels, and all others engaged in transporting aliens into the United Penalty for. States, and the agents by them employed, shall be severally subjected to the penalties imposed by section five of this Act.

Unlawful landing: SEC. 8. That any person, including the master, agent, owner, or consignee of any vessel, who shall bring into Penalty for. or land in the United States, by vessel or otherwise, or who shall attempt, by himself or through another, to bring into or land in the United States, by vessel or otherwise, any alien not duly admitted by an immigrant inspector or not lawfully entitled to enter the United States shall be deemed guilty of a misdemeanor, and shall, on conviction, be punished by a fine not exceeding one thousand dollars, or by imprisonment for a term not exceeding two years, or by both such fine and imprisonment for each and every alien so landed or brought in or attempted to be landed or brought in.[a]

Fine $100: SEC. 9. That it shall be unlawful for any person, in-
For bringing diseased aliens; cluding any transportation company other than railway lines entering the United States from foreign contiguous territory, or the owner, master, agent, or consignee of any vessel to bring to the United States any alien subject to any of the following disabilities: Idiots, imbeciles, epileptics, or persons afflicted with tuberculosis or with a loathsome or dangerous contagious disease, and if it shall appear to the satisfaction of the Secretary of Commerce and Labor that any alien so brought to the United States was afflicted with any of the said diseases or disabilities at the time of foreign embarkation and that the existence of such disease or disability might have been detected by means of a competent medical examination at such time,
Method of collecting. of such person or transportation company, or the master, agent, owner, or consignee of any such vessel shall pay to the collector of customs of the customs district in which the port of arrival is located the sum of one hundred dollars for each and every violation of the provisions of this section; and no vessel shall be granted clearance papers pending the determination of the question of the liability to the payment of such fine, and in the event such fine is imposed, while it remains unpaid, nor shall such fine be remitted or refunded: *Provided*, That clearance may be granted prior to the determination of such questions upon the deposit of a sum sufficient to cover such fine and costs, such sum to be named by the Secretary of Commerce and Labor.[b]

[a] For method of reporting, see Rule 30.
[b] For method of imposing, see Rule 28.

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Appeals: Not allowed aliens afflicted with tuberculosis or dangerous contagious diseases.

SEC. 10. That the decision of the board of special inquiry, hereinafter provided for, based upon the certificate of the examining medical officer, shall be final as to the rejection of aliens affected with tuberculosis or with a loathsome or dangerous contagious disease, or with any mental or physical disability which would bring such aliens within any of the classes excluded from admission to the United States under section two of this Act.[a]

Guardian on voyage: Transportation companies to bear expense of.

SEC. 11. That upon the certificate of a medical officer of the United States Public Health and Marine Hospital Service to the effect that a rejected alien is helpless from sickness, mental or physical disability, or infancy, if such alien is accompanied by another alien whose protection or guardianship is required by such rejected alien, such accompanying alien may also be excluded, and the master, agent, owner, or consignee of the vessel in which such alien and accompanying alien are brought shall be required to return said alien and accompanying alien in the same manner as vessels are required to return other rejected aliens.[b]

Manifests: Incoming passengers—

SEC. 12. That upon the arrival of any alien by water at any port within the United States,[c] it shall be the duty of the master or commanding officer of the steamer, sailing or other vessel having said alien on board to deliver to the immigration officers at the port of arrival lists or manifests made at the time and place of embarkation of such alien on board such steamer or vessel, which shall, in answer to questions at the top of said list, state as to each alien the full name, age, and sex; whether married or single; the calling or occupation; whether able to read or write; the nationality; the race; the last residence; the name and address of the nearest relative in the country from which the alien came; the seaport for landing in the United States; the final destination, if any, beyond the port of landing; whether having a ticket through to such final destination; whether the alien has paid his own passage or whether it has been paid by any other person or by any corporation, society, municipality, or government, and if so, by whom; whether in possession of fifty dollars, and if less, how much; whether going to join a relative or friend, and if so, what relative or friend, and his or her name and complete address; whether ever before in the United States, and if so, when and where; whether ever in prison or almshouse or an institution or hospital for the care and treatment of the insane or supported by charity; whether a polygamist; whether an anarchist; whether coming by reason of any offer, solicitation, promise, or agreement, express or implied, to perform labor in the United States,

What to contain;

[a] See Rules 6 and 20; also latter part of section 25.

[b] See Rule 12.

[c] For the procurement of manifests from Canadian transportation companies, see paragraph (e), Rule 25.

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Manifests:

and what is the alien's condition of health, mental and physical, and whether deformed or crippled, and if so,

Outgoing passengers—

for how long and from what cause; that it shall further be the duty of the master or commanding officer of every vessel taking alien passengers out of the United States, from any port thereof, to file before departure therefrom with the collector of customs of such port a complete list of all such alien passengers taken on board.

What to contain;

Such list shall contain the name, age, sex, nationality, residence in the United States, occupation, and the time of last arrival of every such alien in the United States, and no master of any such vessel shall be granted clearance papers for his vessel until he has deposited such list or lists with the collector of customs at the port of departure and made oath that they are full and complete as to the name and other information herein required concerning each alien taken on board his vessel;[a] and any neglect or omission to comply with the requirements of this section shall be punishable as provided in section fifteen of this Act.[b]

Penalty;

With whom deposited;

That the collector of customs with whom any such list has been deposited in accordance with the provisions of this section, shall promptly notify the Commissioner-General of Immigration that such list has been deposited with him as provided, and shall make such further disposition thereof as may be required by regulations to be issued by the Commissioner-General of Immigration with the approval of the Secretary of Commerce and Labor:[c] *Provided*, That in the case of vessels making regular trips to ports of the United States the Commissioner-General of Immigration, with the approval of the Secretary of Commerce and Labor, may, when expedient, arrange for the delivery of such lists of outgoing aliens at a later date:[c] *Provided further*, That it shall be the duty of the master or commanding officer of any vessel sailing from ports in the Philippine Islands, Guam, Porto Rico, or Hawaii to any port of the United States on the North American Continent to deliver to the immigration officers at the port of arrival lists or manifests made at the time and place of embarkation, giving the names of all aliens on board said vessel.[d]

Of aliens from the Philippines, Guam, Porto Rico, and Hawaii;

How made up;

SEC. 13. That all aliens arriving by water at the ports of the United States shall be listed in convenient groups, and no one list or manifest shall contain more than thirty names. To each alien or head of a family shall be given a ticket on which shall be written his name, a number or letter designating the list in which his name, and so forth, is contained, and his number on said list, for convenience

[a] For the procurement of manifests from Canadian transportation companies, see paragraph (*e*), Rule 25.

[b] For method of imposing fine, see Rule 29.

[c] See Rule XXIX, statistical regulations.

[d] See paragraphs (*b*) and (*c*), Rule I, statistical regulations.

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of identification on arrival. Each list or manifest shall be verified by the signature and the oath of affirmation of the master or commanding officer, or the first or second below him in command, taken before an immigration officer at the port of arrival, to the effect that he has caused the surgeon of said vessel sailing therewith to make a physical and oral examination of each of said aliens, and that from the report of said surgeon and from his own investigation he believes that no one of said aliens is an idiot, or imbecile, or a feeble-minded person, or insane person, or a pauper, or is likely to become a public charge, or is afflicted with tuberculosis or with a loathsome or dangerous contagious disease, or is a person who has been convicted of, or who admits having committed a felony or other crime or misdemeanor involving moral turpitude, or is a polygamist or one admitting belief in the practice of polygamy, or an anarchist, or under promise or agreement, express or implied, to perform labor in the United States, or a prostitute, or a woman or girl coming to the United States for the purpose of prostitution, or for any other immoral purpose, and that also, according to the best of his knowledge and belief, the information in said lists or manifests concerning each of said aliens named therein is correct and true in every respect.

Manifests: To be signed and sworn to by master, as to correctness of contents;

SEC. 14. That the surgeon of said vessel sailing therewith shall also sign each of said lists or manifests and make oath or affirmation in like manner before an immigration officer at the port of arrival, stating his professional experience and qualifications as a physician and surgeon, and that he has made a personal examination of each of the said aliens named therein, and that the said list or manifest, according to the best of his knowledge and belief, is full, correct, and true in all particulars relative to the mental and physical condition of said aliens. If no surgeon sails with any vessel bringing aliens the mental and physical examinations and the verifications of the lists or manifests shall be made by some competent surgeon employed by the owners of the said vessel.[a]

To be signed and sworn to by surgeon;

SEC. 15. That in the case of the failure of the master or commanding officer of any vessel to deliver to the said immigration officers lists or manifests of all aliens on board thereof, as required in sections twelve, thirteen, and fourteen of this Act, he shall pay to the collector of customs at the port of arrival the sum of ten dollars for each alien concerning whom the above information is not contained in any list as aforesaid: *Provided*, That in the case of failure without good cause to deliver the list of passengers required by section twelve of this Act from the master or commanding officer of every vessel taking alien passengers out of the United States, the penalty shall be paid to the collector of customs at the port of departure

Incoming passengers—

Penalty of $10;

Outgoing passengers—

Penalty of $10;

[a] See paragraph (*g*), Rule 29.

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Manifests: Aggregate fines not to exceed $100.

and shall be a fine of ten dollars for each alien not included in said list; but in no case shall the aggregate fine exceed one hundred dollars.[a]

Inspection:

SEC. 16. That upon the receipt by the immigration officers at any port of arrival of the lists or manifests of incoming aliens provided for in sections twelve, thirteen, and fourteen of this Act, it shall be the duty of said officers to go or to send competent assistants to the vessel to which said lists or manifests refer, and there inspect all such aliens, or said immigration officers may order a temporary removal of such aliens for examination at a designated time and place, but such temporary removal shall not be considered a landing, nor shall it relieve the transportation lines, masters, agents, owners, or consignees of the vessel upon which said aliens are brought to any port of the United States from any of the obligations which, in case such aliens remain on board, would, under the provisions of this Act, bind the said transportation lines, masters, agents, owners, or consignees: *Provided*, That where a suitable building is used for the detention and examination of aliens the immigration officials shall there take charge of such aliens, and the transportation companies, masters, agents, owners, and consignees of the vessels bringing such aliens shall be relieved of the responsibility for their detention thereafter until the return of such aliens to their care.

On board vessel;

Landing for, not actual landing;

If placed in station, immigration officers responsible.

Medical examination:

SEC. 17. That the physical and mental examination of all arriving aliens shall be made by medical officers of the United States Public Health and Marine-Hospital Service, who shall have had at least two years' experience in the practice of their profession since receiving the degree of doctor of medicine and who shall certify for the information of the immigration officers and the boards of special inquiry hereinafter provided for, any and all physical and mental defects or diseases observed by said medical officers in any such alien,[b] or, should medical officers of the United States Public Health and Marine-Hospital Service be not available, civil surgeons of not less than four years' professional experience may be employed in such emergency for such service, upon such terms as may be prescribed by the Commissioner-General of Immigration under the direction or with the approval of the Secretary of Commerce and Labor. The United States Public Health and Marine-Hospital Service shall be reimbursed by the immigration service for all expenditures incurred in carrying out the medical inspection of aliens under regulations of the Secretary of Commerce and Labor.

To be made by P. H. and M. H. surgeons;

P. H. and M. H. Service to be reimbursed for surgeons' salaries.

Unlawful landing:

SEC. 18. That it shall be the duty of the owners, officers, or agents of any vessel or transportation line, other than

[a] For procedure, see Rule 29.
[b] See Rule 9.

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those railway lines which may enter into a contract as provided in section thirty-two of this Act, bringing an alien to the United States to prevent the landing of such alien in the United States at any time or place other than as designated by the immigration officers, and the negligent failure of any such owner, officer, or agent to comply with the foregoing requirements shall be deemed a misdemeanor and be punished by a fine in each case of not less than one hundred nor more than one thousand dollars or by imprisonment for a term not exceeding one year, or by both such fine and imprisonment;[a] and every such alien so landed shall be deemed to be unlawfully in the United States and shall be deported as provided in sections twenty and twenty-one of this Act.[b]

Unlawful landing:
Exception under sec. 32;
Penalty for;
Deportation of aliens so landed.

SEC. 19. That all aliens brought to this country in violation of law shall, if practicable, be immediately sent back to the country whence they respectively came on the vessels bringing them. The cost of their maintenance while on land, as well as the expense of the return of such aliens, shall be borne by the owner or owners of the vessels on which they respectively came; and if any master, person in charge, agent, owner, or consignee of any such vessel shall refuse to receive back on board thereof, or on board of any other vessel owned or operated by the same interests, such aliens, or shall fail to detain them thereon, or shall refuse or fail to return them to the foreign port from which they came, or to pay the cost of their maintenance while on land, or shall make any charge for the return of any such alien, or shall take any security from him for the payment of such charge, such master, person in charge, agent, owner, or consignee shall be deemed guilty of a misdemeanor and shall, on conviction, be punished by a fine of not less than three hundred dollars for each and every such offense; and no vessel shall have clearance from any port of the United States while any such fine is unpaid:[a] *Provided*, That the Commissioner-General of Immigration, with the approval of the Secretary of Commerce and Labor, may suspend, upon conditions to be prescribed by the Commissioner-General of Immigration, the deportation of any alien found to have come in violation of any provision of this Act, if, in his judgment, the testimony of such alien is necessary on behalf of the United States Government in the prosecution of offenders against any provision of this Act: *Provided*, That the cost of maintenance of any person so detained resulting from such suspension of deportation shall be paid from the "immigrant fund"[c] but no alien certified, as provided in section seventeen of this Act, to be suffering from tuberculosis or from a loathsome or dangerous contagious disease other than one of quaran-

Deportation:
By vessel bringing;
Cost of, and of detention, to be borne by steamship companies;
Penalty for failure to hold, deport, or maintain;
Penalty for taking security.
Witnesses:
Authority to hold;
Cost paid from immigrant fund.
Hospital treatment — by express permission of Secretary:
Of those suffering with tuberculosis or loathsome or dangerous disease.

[a] For method of reporting, see Rule 30.
[b] See paragraph (*d*), Rule 31, and Rules 34–38.
[c] See Rule 14.

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tinable nature shall be permitted to land for medical treatment thereof in any hospital in the United States, unless with the express permission of the Secretary of Commerce and Labor:[a] *Provided*, That upon the certificate of a medical officer of the United States Public Health and Marine-Hospital Service to the effect that the health or safety of an insane alien would be unduly imperiled by immediate deportation, such alien may, at the expense of the "immigrant fund," be held for treatment until such time as such alien may, in the opinion of such medical officer, be safely deported.[a]

Insane aliens: Holding for treatment, expense immigrant fund.

Deportation: Unlawful residents and public charges; How expense of, to be borne.

SEC. 20. That any alien who shall enter the United States in violation of law, and such as become public charges from causes existing prior to landing, shall, upon the warrant of the Secretary of Commerce and Labor, be taken into custody and deported to the country whence he came at any time within three years after the date of his entry into the United States. Such deportation, including one-half of the entire cost of removal to the port of deportation, shall be at the expense of the contractor, procurer, or other person by whom the alien was unlawfully induced to enter the United States, or, if that can not be done, then the cost of removal to the port of deportation shall be at the expense of the "immigrant fund" provided for in section one of this Act, and the deportation from such port shall be at the expense of the owner or owners of such vessel or transportation line by which such aliens respectively came:[b] *Provided*, That pending the final disposal of the case of any alien so taken into custody he may be released under a bond in the penalty of not less than five hundred dollars with security approved by the Secretary of Commerce and Labor, conditioned that such alien shall be produced when required for a hearing or hearings in regard to the charge upon which he has been taken into custody, and for deportation if he shall be found to be unlawfully within the United States.[c]

Bond: Releasing arrested aliens on.

Deportation: Of aliens subject thereto; Penalty against vessels for refusal to deport on warrant;

SEC. 21. That in case the Secretary of Commerce and Labor shall be satisfied that an alien has been found in the United States in violation of this Act, or that an alien is subject to deportation under the provisions of this Act or of any law of the United States, he shall cause such alien within the period of three years after landing or entry therein to be taken into custody and returned to the country whence he came, as provided by section twenty of this Act,[b] and a failure or refusal on the part of the masters, agents, owners, or consignees of vessels to comply with the order of the Secretary of Commerce and Labor to take on board, guard safely, and return to the country whence he came any alien ordered to be deported

[a] See Rule 10.
[b] See Rules 31–37.
[c] See paragraph (*g*), Rule 35.

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under the provisions of this Act shall be punished by the imposition of the penalties prescribed in section nineteen of this Act:[a] *Provided*, That when in the opinion of the Secretary of Commerce and Labor the mental or physical condition of such alien is such as to require personal care and attendance, he may employ a suitable person for that purpose, who shall accompany such alien to his or her final destination, and the expense incident to such service shall be defrayed in like manner.[b]

Deportation:

Attendants for deported persons.

SEC. 22. That the Commissioner-General of Immigration, in addition to such other duties as may by law be assigned to him, shall, under the direction of the Secretary of Commerce and Labor, have charge of the administration of all laws relating to the immigration of aliens into the United States, and shall have the control, direction, and supervision of all officers, clerks, and employees appointed thereunder. He shall establish such rules and regulations, prescribe such forms of bond, reports, entries, and other papers, and shall issue from time to time such instructions, not inconsistent with law, as he shall deem best calculated for carrying out the provisions of this Act and for protecting the United States and aliens migrating thereto from fraud and loss, and shall have authority to enter into contract for the support and relief of such aliens as may fall into distress or need public aid; all under the direction or with the approval of the Secretary of Commerce and Labor. And it shall be the duty of the Commissioner-General of Immigration to detail officers of the immigration service from time to time as may be necessary, in his judgment, to secure information as to the number of aliens detained in the penal, reformatory, and charitable institutions (public and private) of the several States and Territories, the District of Columbia, and other territory of the United States and to inform the officers of such institutions of the provisions of law in relation to the deportation of aliens who have become public charges: *Provided*, That the Commissioner-General of Immigration may, with the approval of the Secretary of Commerce and Labor, whenever in his judgment such action may be necessary to accomplish the purposes of this Act, detail immigration officers, and also surgeons, in accordance with the provisions of section seventeen, for service in foreign countries.

Commissioner-General:

Duties of;

To make contracts for relief of aliens;

To detail officers to investigate public charges;

To detail officers abroad.

SEC. 23. That the duties of the commissioners of immigration shall be of an administrative character, to be prescribed in detail by regulations prepared, under the direction or with the approval of the Secretary of Commerce and Labor.

Commissioners:

Duties of.

SEC. 24. That immigrant inspectors and other immigration officers, clerks, and employees shall hereafter be appointed and their compensation fixed and raised or de-

Employees:

Appointing and promoting.

[a] For method of reporting, see Rule 30.
[b] For procedure for providing attendant, see Rule 37.

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creased from time to time by the Secretary of Commerce and Labor, upon the recommendation of the Commissioner-General of Immigration and in accordance with the provisions of the civil-service Act of January sixteenth, eighteen hundred and eighty-three: *Provided*,

Contract labor laws:

Special provision for enforcement of.

That said Secretary, in the enforcement of that portion of this Act which excludes contract laborers, may employ, without reference to the provisions of the said civil service Act, or to the various Acts relative to the compilation of the official register, such persons as he may deem advisable and from time to time fix, raise, or decrease their compensation. He may draw from the "immigrant fund" annually fifty thousand dollars or as much thereof as may be necessary, to be expended for the salaries and expenses of persons so employed and for expenses incident to such employment; and the accounting officers of the Treasury shall pass to the credit of the proper disbursing officer expenditures from said sum without itemized account whenever the Secretary of Commerce and Labor certifies that an itemized account would not be for the best interests of the Government: *Provided further*,

Commissioners:

Appointing.

That nothing herein contained shall be construed to alter the mode of appointing commissioners of immigration at the several ports of the United States as provided by the sundry civil appropriation Act approved August eighteenth, eighteen hundred and ninety-four, or the official status of such commissioners heretofore appointed.

Immigration officers:

Power and authority of;

Immigration officers shall have power to administer oaths and to take and consider evidence touching the right of any alien to enter the United States, and, where such action may be necessary, to make a written record of such evidence; and any person to whom such an oath has been administered under the provisions of this Act who shall knowingly or wilfully give false evidence or swear to any false statement in any way affecting or in relation to the right of any alien to admission to the United States shall be deemed guilty of perjury and be punished as provided by section fifty-three hundred and ninety-two, United States Revised Statutes. The decision of any such officer, if favorable to the admission of any alien, shall be subject to challenge by any other immigration officer, and such challenge shall operate to take the alien whose right to land is so challenged before a board of special inquiry for its investigation. Every alien who may not appear to the examining immigrant inspector at the port of arrival to be clearly and beyond a doubt entitled to land shall be detained for examination in relation thereto by a board of special inquiry.

False swearing before, perjury;

Challenging decision of.

Boards of special inquiry:

Detaining aliens for;

Appointing;

SEC. 25. That such boards of special inquiry shall be appointed by the commissioner of immigration at the various ports of arrival as may be necessary for the prompt determination of all cases of immigrants detained at such ports under the provisions of law.[a] Each

[a] See Rule 17 for form of oath of board member.

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board shall consist of three members, who shall be selected from such of the immigrant officials in the service as the Commissioner-General of Immigration, with the approval of the Secretary of Commerce and Labor, shall from time to time designate as qualified to serve on such boards: *Provided*, That at ports where there are fewer than three immigrant inspectors, the Secretary of Commerce and Labor, upon the recommendation of the Commissioner-General of Immigration, may designate other United States officials for service on such boards of special inquiry. Such boards shall have authority to determine whether an alien who has been duly held shall be allowed to land or shall be deported. All hearings before boards shall be separate and apart from the public, but the said boards shall keep a complete permanent record of their proceedings and of all such testimony as may be produced before them; and the decision of any two members of a board shall prevail, but either the alien or any dissenting member of the said board may appeal through the commissioner of immigration at the port of arrival and the Commissioner-General of Immigration to the Secretary of Commerce and Labor, and the taking of such appeal shall operate to stay any action in regard to the final disposal of any alien whose case is so appealed until the receipt by the commissioner of immigration at the port of arrival of such decision which shall be rendered solely upon the evidence adduced before the board of special inquiry: *Provided*, That in every case where an alien is excluded from admission into the United States, under any law or treaty now existing or hereafter made, the decision of the appropriate immigration officers, if adverse to the admission of such alien, shall be final, unless reversed on appeal to the Secretary of Commerce and Labor; but nothing in this section shall be construed to admit of any appeal in the case of an alien rejected as provided for in section ten of this Act.[a]

Boards of special inquiry:
Other officials for;
Authority of;
Hearings before, private.
Appeals:
Manner of taking;
Decision on, based solely upon original evidence;
Unless taken, decision of officers final;
Not allowed in cases rejected under section 10.

SEC. 26. That any alien liable to be excluded because likely to become a public charge or because of physical disability other than tuberculosis or a loathsome or dangerous contagious disease may, if otherwise admissible, nevertheless be admitted in the discretion of the Secretary of Commerce and Labor upon the giving of a suitable and proper bond or undertaking, approved by said Secretary in such amount and containing such conditions as he may prescribe, to the people of the United States, holding the United States or any State, Territory, county, municipality, or district thereof harmless against such alien becoming a public charge. The admission of such alien shall be a consideration for the giving of such bond or undertaking. Suit may be brought thereon in the name and by the proper law officers either of the United States Government or of any State, Territory, district,

Bonds:
Landing under;
In what cases permissible;
Bringing suits upon.

[a] See Rules 5–8.

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county, or municipality in which such alien becomes a public charge.[a]

Suits: Compromising, etc.;

SEC. 27. That no suit or proceeding for a violation of the provisions of this Act shall be settled, compromised, or discontinued without the consent of the court in which it is pending, entered of record, with the reasons therefor.

Under former acts not affected hereby.

SEC. 28. That nothing contained in this Act shall be construed to affect any prosecution, suit, action, or proceedings brought, or any act, thing, or matter, civil or criminal, done or existing at the time of the taking effect of this Act; but as to all such prosecutions, suits, actions, proceedings, acts, things, or matters the laws or parts of laws repealed or amended by this Act are hereby continued in force and effect.

Courts, circuit and district: Jurisdiction.

SEC. 29. That the circuit and district courts of the United States are hereby invested with full and concurrent jurisdiction of all causes, civil and criminal, arising under any of the provisions of this Act.

Exclusive privileges: How granted;

SEC. 30. That all exclusive privileges of exchanging money, transporting passengers or baggage, or keeping eating houses, and all other like privileges in connection with any United States immigrant station, shall be disposed of after public competition, subject to such conditions and limitations as the Commissioner-General of Immigration, under the direction or with the approval of the Secretary of Commerce and Labor, may prescribe: *Provided*, That no intoxicating liquors shall be sold in any such immigrant station; that all receipts accruing from the disposal of such exclusive privileges as herein provided shall be paid into the Treasury of the United States to the credit of the "immigrant fund" provided for in section one of this Act.

Proceeds from, to be paid into immigrant fund.

Peace officers: Admission to stations.

SEC. 31. That for the preservation of the peace and in order that arrests may be made for crimes under the laws of the States and Territories of the United States where the various immigrant stations are located, the officers in charge of such stations, as occasion may require, shall admit therein the proper State and municipal officers charged with the enforcement of such laws, and for the purpose of this section the jurisdiction of such officers and of the local courts shall extend over such stations.

Commissioner-General: To make rules and contracts for inspection on land boundaries.

SEC. 32. That the Commissioner-General of Immigration, under the direction or with the approval of the Secretary of Commerce and Labor, shall prescribe rules for the entry and inspection of aliens along the borders of Canada and Mexico, so as not to unnecessarily delay, impede, or annoy passengers in ordinary travel between the United States and said countries, and shall have power to enter into contracts with transportation lines for the said purpose.[b]

[a] See Rule 20 as to circumstances under which accepted.

[b] For arrangement on Canadian border, see Rule 25; on Mexican border, Rule 27.

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"United States:"
Meaning of term.

SEC. 33. That for the purpose of this Act the term "United States" as used in the title as well as in the various sections of this Act shall be construed to mean the United States and any waters, territory, or other place subject to the jurisdiction thereof, except the Isthmian Canal Zone: *Provided*, That if any alien shall leave the canal zone and attempt to enter any other place under the jurisdiction of the United States, nothing contained in this Act shall be construed as permitting him to enter under any other conditions than those applicable to all aliens.

Canal Zone: Inspection of aliens from.

Commissioner: Appointment of, at New Orleans.

SEC. 34. That the Commissioner-General of Immigration, with the approval of the Secretary of Commerce and Labor, may appoint a commissioner of immigration to discharge at New Orleans, Louisiana, the duties now required of other commissioners of immigration at their respective posts.

Deportation: To be to transoceanic ports;

SEC. 35. That the deportation of aliens arrested within the United States after entry and found to be illegally therein, provided for in this Act, shall be to the trans-Atlantic or trans-Pacific ports from which said aliens embarked for the United States; or, if such embarkation was for foreign contiguous territory, to the foreign port at which said aliens embarked for such territory.

Of aliens entering unlawfully.

SEC. 36. That all aliens who shall enter the United States except at the seaports thereof, or at such place or places as the Secretary of Commerce and Labor may from time to time designate, shall be adjudged to have entered the country unlawfully and shall be deported as provided by sections twenty and twenty-one of this Act: *Provided*, That nothing contained in this section shall affect the power conferred by section thirty-two of this Act upon the Commissioner-General of Immigration to prescribe rules for the entry and inspection of aliens along the borders of Canada and Mexico.[a]

Ports of entry: To be designated on land borders.

Admission: Of diseased wife or minor children of alien who has declared intention to become citizen.

SEC. 37. That whenever an alien shall have taken up his permanent residence in this country, and shall have filed his declaration of intention to become a citizen, and thereafter shall send for his wife, or minor children to join him, if said wife or any of said children shall be found to be affected with any contagious disorder, such wife or children shall be held, under such regulations as the Secretary of Commerce and Labor shall prescribe, until it shall be determined whether the disorder will be easily curable, or whether they can be permitted to land without danger to other persons; and they shall not be either admitted or deported until such facts have been ascertained; and if it shall be determined that the disorder is easily curable or that they can be permitted to land without danger to other persons, they shall, if otherwise admissible, thereupon be admitted.[b]

[a] See Rule 38; also paragraph (*g*), Rule 21.
[b] See Rule 11.

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Anarchists: Not to be admitted;

SEC. 38. That no person who disbelieves in or who is opposed to all organized government, or who is a member of or affiliated with any organization entertaining and teaching such disbelief in or opposition to all organized government, or who advocates or teaches the duty, necessity, or propriety of the unlawful assaulting or killing of any officer or officers, either of specific individuals or of officers generally, of the Government of the United States or of any other organized government, because of his or their official character, shall be permitted to enter the United States or any territory or place subject to the jurisdiction thereof. This section shall be enforced by the Secretary of Commerce and Labor under such rules and regulations as he shall prescribe. That any person who knowingly aids or assists any such person to enter the United States or any territory or place subject to the jurisdiction thereof, or who connives or conspires with any person or persons to allow, procure, or permit any such person to enter therein, except pursuant to such rules and regulations made by the Secretary of Commerce and Labor shall be fined not more than five thousand dollars, or imprisoned for not more than five years, or both.[a]

Penalty for assisting to enter.

Immigration Commission: How appointed;

SEC. 39. That a commission is hereby created, consisting of three Senators, to be appointed by the President of the Senate, and three members of the House of Representatives, to be appointed by the Speaker of the House of Representatives, and three persons, to be appointed by the President of the United States. Said commission shall make full inquiry, examination, and investigation by sub-committee or otherwise into the subject of immigration. For the purpose of said inquiry, examination, and investigation, said commission is authorized to send for persons and papers, make all necessary travel, either in the United States or any foreign country, and, through the chairman of the commission or any member thereof to administer oaths and to examine witnesses and papers respecting all matters pertaining to the subject, and to employ necessary clerical and other assistance. Said commission shall report to the Congress the conclusions reached by it and make such recommendations as in its judgment may seem proper. Such sums of money as may be necessary for the said inquiry, examination, and investigation are hereby appropriated and authorized to be paid out of the "immigrant fund" on the certificate of the chairman of said commission, including all expenses of the commissioners and a reasonable compensation, to be fixed by the President of the United States, for those members of the commission who are not members of Congress; and the President of the United States is also authorized, in the name of the Government of the United States, to call, in his discretion, an international conference, to assemble at such point as may be agreed upon, or

Authority and duties;

Expenses of, how paid.

International Conference:

President authorized to arrange for;

[a] For method of reporting, see Rule 30.

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to send special commissioners to any foreign country, for the purpose of regulating by international agreement, subject to the advice and consent of the Senate of the United States, the immigration of aliens to the United States; of providing for the mental, moral, and physical examination of such aliens by American consuls or other officers of the United States Government at the ports of embarkation, or elsewhere; of securing the assistance of foreign governments in their own territories to prevent the evasion of the laws of the United States governing immigration to the United States; of entering into such international agreements as may be proper to prevent the immigration of aliens who, under the laws of the United States, are or may be excluded from entering the United States, and of regulating any matters pertaining to such immigration.

International Conference: Purpose of.

SEC. 40. Authority is hereby given the Commissioner-General of Immigration to establish, under the direction and control of the Secretary of Commerce and Labor, a division of information in the Bureau of Immigration and Naturalization; and the Secretary of Commerce and Labor shall provide such clerical assistance as may be necessary. It shall be the duty of said division to promote a beneficial distribution of aliens admitted into the United States among the several States and Territories desiring immigration. Correspondence shall he had with the proper officials of the States and Territories, and said division shall gather from all available sources useful information regarding the resources, products, and physical characteristics of each State and Territory, and shall publish such information in different languages and distribute the publications among all admitted aliens who may ask for such information at the immigrant stations of the United States and to such other persons as may desire the same. When any State or Territory appoints and maintains an agent or agents to represent it at any of the immigrant stations of the United States, such agents shall, under regulations prescribed by the Commissioner-General of Immigration, subject to the approval of the Secretary of Commerce and Labor, have access to aliens who have been admitted to the United States for the purpose of presenting, either orally or in writing, the special inducements offered by such State or Territory to aliens to settle therein. While on duty at any immigrant station such agents shall be subject to all the regulations prescribed by the Commissioner-General of Immigration, who, with the approval of the Secretary of Commerce and Labor, may, for violation of any such regulations, deny to the agent guilty of such violation any of the privileges herein granted.

Information division: Establishment of; Duties and authority of.

State agents: Appointment and stationing at ports; Courtesies to; Control of.

SEC. 41. That nothing in this Act shall be construed to apply to accredited officials of foreign governments nor to their suites, families, or guests.[a]

Foreign officials: Exempted from provisions hereof.

[a] See paragraph (*b*), Rule 2.

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Amendatory of navigation act.

SEC. 42. It shall not be lawful for the master of a steamship or other vessel whereon immigrant passengers, or passengers other than cabin passengers, have been taken at any port or place in a foreign country or dominion (ports and places in foreign territory contiguous to the United States excepted) to bring such vessel and passengers to any port or place in the United States unless the compartments, spaces, and accommodations hereinafter mentioned have been provided, allotted, maintained, and used for and by such passengers during the entire voyage; that is to say, in a steamship, the compartments or spaces, unobstructed by cargo, stores, or goods, shall be of sufficient dimensions to allow for each and every passenger carried or brought therein eighteen clear superficial feet of deck allotted to his or her use, if the compartment or space is located on the main deck or on the first deck next below the main deck of the vessel, and twenty clear superficial feet of deck allotted to his or her use for each passenger carried or brought therein if the compartment or space is located on the second deck below the main deck of the vessel: *Provided*, That if the height between the lower passenger deck and the deck immediately above it is less than seven feet, or if the apertures (exclusive of the side scuttles) through which light and air are admitted together to the lower passenger deck are less in size than in the proportion of three square feet to every one hundred superficial feet of that deck, the ship shall not carry a greater number of passengers on that deck than in the proportion of one passenger to every thirty clear superficial feet thereof. It shall not be lawful to carry or bring passengers on any deck other than the decks above mentioned. And in sailing vessels such passengers shall be carried or brought only on the deck (not being an orlop deck) that is next below the main deck of the vessel, or in a poop or deck house constructed on the main deck; and the compartment or space, unobstructed by cargo, stores, or goods, shall be of sufficient dimensions to allow one hundred and ten cubic feet for each and every passenger brought therein. And such passenger shall not be carried or brought in any between decks, nor in any compartment, space, poop, or deck house, the height of which from deck to deck is less than six feet. In computing the number of such passengers carried or brought in any vessel, children under one year of age shall not be included, and two children between one and eight years of age shall be counted as one passenger; and any person brought in any such vessel who shall have been, during the voyage, taken from any other vessel wrecked or in distress on the high seas, or have been picked up at sea from any boat, raft, or otherwise, shall not be included in such computation. The master of a vessel coming to a port or place in the United States in violation of either of the provisions of this section shall be deemed guilty of a misdemeanor; and if the

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number of passengers other than cabin passengers carried or brought in the vessel, or in any compartment, space, poop, or deck house thereof, is greater than the number allowed to be carried or brought therein, respectively, as hereinbefore prescribed, the said master shall be fined fifty dollars for each and every passenger in excess of the proper number, and may also be imprisoned not exceeding six months. Amendatory of navigation act.

This section shall take effect on January first, nineteen hundred and nine.

SEC. 43. That the Act of March third, nineteen hundred and three, being an Act to regulate the immigration of aliens into the United States, except section thirty-four thereof, and the Act of March twenty-second, nineteen hundred and four, being an Act to extend the exemption from head tax to citizens of Newfoundland entering the United States, and all Acts and parts of Acts inconsistent with this Act are hereby repealed: *Provided*, That this Act shall not be construed to repeal, alter, or amend existing laws relating to the immigration or exclusion of Chinese persons or persons of Chinese descent, nor to repeal, alter, or amend section six, chapter four hundred and fifty-three, third session Fifty-eighth Congress, approved February sixth, nineteen hundred and five, or, prior to January first, nineteen hundred and nine, section one of the Act approved August second, eighteen hundred and eighty-two, entitled "An Act to regulate the carriage of passengers by sea." Repealing clause: Exceptions.

SEC. 44. That this Act shall take effect and be enforced from and after July first, nineteen hundred and seven: *Provided, however*, That section thirty-nine of this Act and the last proviso of section one shall take effect upon the passage of this Act and section forty-two on January first, nineteen hundred and nine. When effective.

Approved February 20, 1907. (34 Stat., pt. 1, p. 898.)

EXTRACT FROM THE SUNDRY CIVIL APPROPRIATION ACT APPROVED MARCH 4, 1909.[a]

"In all, one million two hundred and sixty-six thousand seven hundred and fifty dollars, *which shall include the amount necessary for the medical inspection of aliens, as required by section seventeen of the Act of Congress approved February twentieth, nineteen hundred and seven, and the provision of said section of said Act requiring the reimbursement by the immigration fund for said expenses is hereby repealed.*"

[a] Under caption "Public Health and Marine Hospital Service" (35 Stat., 969).

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ACT APPROVED MARCH 4, 1909.

AN ACT relative to outward alien manifests on certain vessels.[a]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That until the provisions of section twelve of the immigration Act of February twentieth, nineteen hundred and seven, relating to outward alien manifests, shall be made applicable to passengers going out of the United States to Canada by land carriage, said provisions shall not apply to passengers going by vessels employed exclusively in the trade between the ports of the United States and the Dominion of Canada and the Republic of Mexico.

Approved, March 4, 1909.

[a] 35 Stat., 1060.

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IMMIGRATION REGULATIONS.

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DEPARTMENT OF COMMERCE AND LABOR,
BUREAU OF IMMIGRATION AND NATURALIZATION.

Note: Meaning of terms employed.

NOTE.—Wherever, in the following rules, the expression "Immigration Act" is used, it shall be understood to refer to the act entitled "An act to regulate the immigration of aliens into the United States," approved February 20, 1907; and wherever a numbered section is mentioned it shall be understood to refer to the section of that number in said act, unless explicitly stated to the contrary.

Philippine Islands:

Regulations not applicable to.

The following rules do not apply to aliens seeking admission to the Philippine Islands, the administration of the immigration laws and the collection of head tax therein having been vested in the officers of the general government of those islands by section 6 of the act approved February 6, 1905.

RULES RELATING TO HEAD TAX.

Head tax:

Collection of;

RULE 1. *Collection of head tax.*—The head tax imposed by section 1 of the Immigration Act is to be levied and collected in respect of all aliens entering the United States, except such as are described in Rule 2 hereof.

Certification of, to collector;

Upon the arrival of any aliens at any seaport of the United States, the immigration officer in charge shall certify to the collector of customs the number of aliens on account of whom the tax is payable and the name of the person required to pay the same. Upon receipt of such certificate, the collector of customs shall forthwith collect a tax of four dollars for each alien so certified.

Deposit of;

Refundment of;

The tax collected on account of aliens, who are not permitted to land, but are held for examination by a board of special inquiry, and the tax collected on account of aliens permitted to enter for the purpose of passing in transit through the United States, shall be held as a special deposit, to be refunded, in the one case, when an alien detained for examination has been excluded, and in the other, when an alien proceeding in transit through the United States has left the country. The collections so

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Head tax:

made shall no longer be held on special deposit, but shall be accounted for in the regular manner, in the case of aliens detained for examination, so soon as it shall appear that they are admitted, and, in the case of aliens entering for the purpose of transit, if, at the expiration of sixty days from time of entry, it is not shown that they have passed out of the country.

Collection of, on Mexican and Canadian borders:

The head tax payable on account of aliens entering the United States from foreign contiguous territory shall be levied and collected, at Mexican border ports, according to the provisions of Rule 27 hereof, and at Canadian border ports according to the terms of an agreement between the Commissioner-General of Immigration and certain transportation companies, embodied in Rules 24 and 25 hereof.

Exemptions from—

RULE 2. *Exemptions from head tax.*—The head tax shall not be levied in respect of the following aliens:

Excluded aliens—

(*a*) Aliens who do not enter the United States because excluded from admission thereto by the Immigration Act. (Secs. 1 and 2.)

Diplomatic officers—

(*b*) Diplomatic and consular officers and other accredited officials of foreign governments, their suites, families, and guests coming to the United States to reside or to pass through in transit. (Sec. 41.)

Residents Canada, Newfoundland, Cuba, and Mexico—

(*c*) Head tax shall not be collected on account of aliens entering the United States from Canada, Newfoundland, Cuba, or Mexico whose legal domicile or bona fide residence was in one of the countries specified for at least one year immediately preceding such entrance if it merely appears that the continuity of their physical presence at their place of residence or domicile was broken by one or more transient and temporary departures therefrom; nor shall head tax be collected on account of such aliens if it merely appears that, instead of entering the United States from Canada, Newfoundland, Cuba or Mexico directly, they come by way of some other foreign country in which they had made a merely temporary or transient sojourn.

Residents of U. S. temporarily visiting Canada, Newfoundland, Cuba, or Mexico—

(*d*) Head tax shall not be collected on account of aliens reentering the United States from Canada, Newfoundland, Cuba, or Mexico who are citizens thereof but who have acquired a legal domicile or bona fide residence in the United States, and who are returning from a visit to one of the said countries, notwithstanding that the period of a full year has not intervened between the date of their departure from and the date of their return to the United States.

Residents insular possessions—

(*e*) Aliens, otherwise admissible, who are residents of any possession of the United States, provided at the time of admission to such possession head tax was paid on their account. (Sec. 1.)

Transits—

(*f*) Aliens who enter the United States only for the purpose of transit to foreign destinations. Collections made in respect of such aliens will be held on special de-

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Head tax:

posit and will be refunded pursuant to Rules 1 and 41. (Sec. 1.)

Exemptions from—

Aliens in continuous journey—

(*g*) Aliens who have been lawfully admitted to the United States and who later shall go in transit from one part of the United States to another through foreign contiguous territory. Satisfactory evidence of such previous lawful admission and of previous payment of head tax shall be required in the case of aliens on whose behalf this exemption is claimed, as in paragraphs (*c*) and (*d*) of this rule. Personal knowledge on the part of an immigration officer, or a written statement from such an officer based on an examination of official records certifying to the fact of previous entry and payment of tax, will be sufficient. As evidence of the continuity of the transit, production of a dated passenger ticket, where such exists, may be required. (Sec. 1.)

At ports of Guam, Porto Rico, and Hawaii.

(*h*) Aliens arriving in Guam, Porto Rico, or Hawaii; but if any such alien, not having become a citizen of the United States, shall later arrive at any port or place of the United States on the North American Continent the provisions for the levy and collection of head tax shall apply. (Sec. 1.)

Immigrant fund:

Accounting for receipts for.

RULE 3. *Accounting for head tax and other receipts.*—All moneys collected on account of head tax, as well as all moneys collected for rentals of exclusive privileges at United States immigrant stations and all moneys collected as fines for violations of the immigration laws (whether imposed by the Department or the courts), shall be deposited to the credit of the Treasurer of the United States on account of miscellaneous receipts, with an assistant treasurer of the United States, or national-bank depositary, in the same manner as other miscellaneous collections are deposited. Separate accounts of the receipts and expenditures of money under the act shall be rendered monthly to the Secretary of the Treasury through the Department of Commerce and Labor on forms to be furnished by the Government for the purpose.

RULES RELATING TO ADMISSION OR EXCLUSION.

Immigration Act:

To whom applicable.

RULE 4. *Application of Immigration Act.*—The provisions of the Immigration Act apply to all aliens seeking to enter the United States, except accredited officials of foreign governments, their suites, families, and guests. The act also prescribes the conditions of their admission to or exclusion from the United States, or any waters, territory, or other place subject to the jurisdiction thereof, except the Isthmian Canal Zone. The act becomes effective when such aliens arrive from any foreign country, or other place without the jurisdiction of the United States, or from the Canal Zone. The provisions of the Immigration Act do not apply to aliens who have once been duly admitted to the United States or any waters, territory, or other place subject to the jurisdiction thereof,

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passing back and forth between the insular possessions and the continental territories of the United States, except aliens coming from the Canal Zone, and except Japanese or Korean laborers coming from Hawaii, with passports limited to Hawaii, Mexico, or Canada. The admission of aliens coming from the Canal Zone is governed by the regulations applicable to aliens generally; the admission of Japanese or Korean laborers to the continental territory of the United States is governed by the provisions of the Executive order of the President embodied in Rule 21 hereof.

Examination: Who excludable upon;

RULE 5. *Examination of aliens.*—No alien who falls within one of the classes of persons enumerated and defined in section 2 of the Immigration Act or in the Executive order embraced in Rule 21 hereof shall be admitted to the United States, nor (with the exception of the Isthmian Canal Zone) to any waters, territory, or other place subject to the jurisdiction thereof. Every alien seeking to enter the United States, as thus defined, who does not fall within any of the classes so enumerated, shall be admitted.

Children under 16;

Children under sixteen years of age, unaccompanied by one or both of their parents, shall not be permitted to enter the United States, if it appears, or the circumstances indicate, that they are to be placed in forced or "padrone" servitude or in any employment unsuited to their years.

Primary inspection;

Every alien arriving at a port of the United States shall be promptly examined, as by law provided, either on shipboard or at some other place designated for that purpose. Every alien who may appear to the examining immigrant inspector to be clearly and beyond doubt entitled to land shall be at once admitted; every alien who may not appear to be clearly and beyond a doubt entitled to land shall be detained for examination by a board of special inquiry, which examination shall be promptly conducted separate and apart from the public, and, upon the conclusion thereof, the alien shall be either immediately landed or ordered excluded and returned to the country whence he came. If an appeal lies, the alien shall be informed of his right thereto, and the fact that he has been so informed shall be entered of record in the minutes of the board's proceedings. If the alien elects to appeal, he must, to enable officers to comply with the provisions of section 19, file notice of such appeal not less than forty-eight hours prior to the sailing of the first vessel by which his return may be effected, unless such sailing occurs less than forty-eight hours after the order of deportation is made. But in no event shall an appeal be considered after an alien has, in consequence of an adverse decision of a board of special inquiry, been transferred from an immigrant station to be excluded, unless such transfer has been made to prevent congestion, or danger of contagion, as provided by Rule 8 hereof.

Board special inquiry inspection.

Appeals: Notifying alien of right to; Filing notice of;

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Appeals: Notice to steamship company;

If an alien, rejected on account of disability or disease, or because insane or mentally defective, is in such physical or mental condition as to require special care and attention during the ocean voyage and land trip of deportation, the commissioner or inspector in charge shall, when delivering such rejected alien into the custody of the master or first or second officer of the vessel by which deportation is to be effected, furnish such officer with a statement of particulars (Form No. 597) and accompanying receipt and returns, for use in accordance with the provisions of Rule 37 hereof, all applicable requirements of which rule shall be observed. In the cases of aliens rejected by boards of special inquiry, or by the Department on appeal, the commissioner of immigration or inspector in charge shall, as promptly as circumstances permit, notify the steamship line by a vessel of which the alien is to be deported, furnishing full particulars as to the cause of rejection, and, if the alien is diseased, disabled, or insane, a statement of the alien's condition.

When permissible;

RULE 6. *Appeals.*—Except as specified in this rule, an appeal may be taken by the alien himself or by a dissenting member of the board from any decision of a board of special inquiry which determines whether an alien shall be admitted or excluded. No appeal is permissible when the decision of the board rejecting an alien *is based upon* a certificate of the examining medical officer which shows—

When not permissible; because decision is based on medical certificate;

(*a*) That the alien is afflicted with tuberculosis or with a loathsome or dangerous contagious disease;

(*b*) That the alien is an idiot, an imbecile, an epileptic, or is insane or feeble-minded;

(*c*) That the alien has been insane within five years previously, or has had two or more attacks of insanity at any time previously;

(*d*) That the alien has any *mental* defect which in the board's opinion may affect his ability to earn a living or render him likely to become a public charge;

(*e*) That the alien has any *physical* defect which in the board's opinion may affect his ability to earn a living or render him likely to become a public charge; but aliens coming within this class may nevertheless be admitted, in the discretion of the Secretary, as provided in Rule 20 hereof.

Discretion of board of inquiry under section 10;

Boards of special inquiry in reaching decisions "based upon the certificate of the examining medical officer" are to be governed by the following considerations: It is "the decision of the board of special inquiry" which is made unappealable in certain cases by section 10, and not "the certificate of the examining medical officer." In arriving at a decision, therefore, the board is required to exercise its own discretion in determining whether or not it will "base" the same upon the certificate of the examining medical officer. Where the decision of the board is

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Appeals:

expressly "based" upon medical certificates of the character specified by section 10, no appeal is allowed by the act. But whether the board will so "base" its decision will naturally depend upon the circumstances of the case. Thus—

Circumstances determining whether board's decision shall be based on medical certificate, and whether case shall be decided by board subject to appeal or shall be considered an application for bond.

When the medical certificate shows that an alien is affected with tuberculosis or with a loathsome or dangerous contagious disease, or when it shows that an alien is an idiot, an imbecile, or an epileptic, or is insane or feeble-minded, the board of special inquiry, in the absence of competent and convincing evidence to the contrary, is virtually forced to "base" its decision upon that certificate, the reason being that whether or not an alien is so affected is purely a matter of medical science and not such a matter as to which a board of laymen can be expected to reach an intelligent conclusion.

Where the medical certificate states that an alien is affected with any mental defect or physical defect (other than those just named), either of which defects is of a nature that might affect the ability of the alien to earn a living or make him likely to become a public charge, or when the medical certificate states that the alien has been insane within five years previously, or has had two or more attacks of insanity at any time previously, the question to be determined is a practical one quite as much as a medical one, and boards of special inquiry should not only receive and carefully consider the certificate of the medical officer, but should likewise consider all the facts and surrounding circumstances of the case, and from the case as a whole reach their own conclusion as to whether the defect is of a nature which may, considering all the circumstances of the case, affect his ability to earn a living or render him likely to become a public charge, or whether the alien has actually been afflicted in the past.

If the defect for which certified is *physical*, not *mental*, and, on consideration of the whole case, the board's decision is that such physical defect is one which may affect his ability to earn a living or render him likely to become a public charge, and the alien is otherwise admissible, he should be given an opportunity to make application for landing under bond in accordance with Rule 20.

Application for landing under bond and Appeals:

If, on the other hand, the board's conclusion is that the defect is not of such a nature as to affect the ability of the alien to earn a living or render him likely to become a public charge, considering all the facts surrounding his case, and that the alien is otherwise admissible, the board should land the alien unconditionally; or, if the board's conclusion is that the alien should be rejected, not solely because of the certificate but on the basis of all the facts and circumstances, the alien should be rejected and advised of his right to appeal in the usual manner.

Distinction drawn between.

To summarize so much of the foregoing as relates to the distinction between *appeals* and applications for admission under *bond:*

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Appeals:

When a board concludes that an alien is "liable to be excluded because likely to become a public charge or because of physical disability other than tuberculosis or a loathsome or dangerous contagious disease," and such conclusion is not based *solely upon the medical certificate, the board should render a decision, from which decision the alien has the right of appeal.*

But when the board reaches such conclusion upon the basis solely *of the medical certificate, no decision should be rendered, but the alien should be given an opportunity to apply for admission under bond in accordance with Rule 20.*

Notice of, to act as stay of deportation;

RULE 7. *Appeals, procedure.*—Notice of appeal shall act as a stay of all proceedings until a final decision is rendered by the Secretary; and, within forty-eight hours after the filing of such notice, the complete record of the case shall be forwarded to the Commissioner-General of Immigration by the immigration officer in charge at the port of arrival, accompanied by his views thereon in writing; but on such appeal of any case to the Secretary no evidence will be considered which has not already been passed upon in said case by a board of special inquiry at the original hearing, or upon a rehearing if so ordered.

Evidence considered on;

Granting additional time for;

(See sec. 25.) If, to prevent a miscarriage of justice, additional time is granted to the friends or counsel of an appealing alien, the said immigration officer may require the deposit of a sum of money sufficient to defray the cost of maintaining appellant during the additional time thus allowed.

Making record of;

RULE 8. *Appeals, procedure.*—The commissioner of immigration or the immigration officer in charge at the port of landing shall enter of record the name of every alien found upon examination to be within any of the prohibited classes, with a statement of the decision in each case; and if such decision be appealed from immediately upon the receipt from the Department of its conclusions thereupon the alien shall be landed or deported in accordance with such conclusion. If a landing is refused on appeal, the master, agent, consignee, or owner of the vessel by which the said alien arrived shall be notified by the commissioner or officer in charge, and advised that the alien will be placed aboard the vessel of the line involved next sailing, for deportation. The commissioner or officer in charge at a port of entry where a detention station is located may, immediately upon exclusion, place debarred aliens on board the vessel by which they are to be deported, if in his judgment such action is necessary to prevent congestion or danger of contagion in such station. (See Rule 5.)

Notifying steamship of dismissal of.

Medical examination:

What surgeons to conduct;

RULE 9. *Medical examination.*—Officers of the United States Public Health and Marine-Hospital Service (or, if such officers are not available, civil surgeons of not less than four years' professional experience) are required by section 17 of the Immigration Act to make a physical and

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mental examination of all arriving aliens, and to certify for the information of immigration officers any and all physical and mental defects or diseases observed by them. Every officer of such Service detailed for this duty shall, subject to the instructions of the Surgeon-General of the Public Health and Marine-Hospital Service, be under the direction of the immigration officer in charge of the port to which he may be detailed. Medical examination:

The certificate of the medical officer shall state the physical or mental defect or disease observed, specifying the name by which it is known in common speech as well as the name by which it is known in medicine; and the certificate shall also state: *Certificates covering, contents of—*

(*a*) Where an alien is certified as having been insane within five years previous, or as having had two or more attacks of insanity at any time previously, how the previous existence of the malady has been ascertained (sec. 2); Insane within 5 years;

(*b*) Where an alien is certified as being afflicted with a loathsome or dangerous contagious disease, that the disease named is in fact a loathsome or dangerous contagious disease, and is or is not of a quarantinable nature (secs. 2, 19); Contagious diseases;

(*c*) Where an alien is certified as having a mental or physical defect of a nature which may affect his ability to earn a living, or as being likely to become a public charge by reason of any mental or physical disability, the bearing of such mental or physical shortcoming upon the customary occupation of the alien and upon his general capacity for useful employment, whether such defect is of a temporary or permanent nature, and whether the deficiency of the alien has been corrected by artificial or educational means (secs. 2, 10, 26); Mental and physical defects;

(*d*) Where an alien is certified for permission to land for medical treatment in any hospital of the United States, or where it is certified that the health or safety of an insane alien would be unduly imperiled by immediate deportation, that the alien is not suffering from tuberculosis or from a loathsome or dangerous contagious disease of a nonquarantinable nature, and the probable duration of the alien's detention in hospital, asylum, or elsewhere (sec. 19); When hospital treatment required;

(*e*) Where an alien is certified as being helpless from sickness, mental or physical disability, or infancy, whether such alien requires the protection or guardianship of an attendant (secs. 11, 21); For helplessness;

(*f*) Where the wife or minor children of an alien who has declared his intention to become a citizen are certified as being affected with any contagious disorder, whether such disorder is a loathsome or a dangerous one, the probable length of time needed to determine whether the disorder will be easily curable, and whether they can be permitted to land without danger to other persons (sec. 37); and Wives and minor children;

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Medical examination:

Certificates covering, contents of—

Persons afflicted at time foreign embarkation.

(*g*) Where an alien is certified as being an idiot, imbecile, epileptic, or afflicted with tuberculosis or with a loathsome or dangerous contagious disease, whether the alien was so afflicted at the time of foreign embarkation, whether the existence of the disease or disability might have been detected by means of a competent medical examination at such time, how the previous condition of the alien has been ascertained, and the ground for believing that it might have been detected by a competent examination.

Landing for hospital treatment:

Conditions under which permissible;

RULE 10. *Landing for hospital treatment.*—(*a*) Where an alien has been excluded by decision of a board of special inquiry and the order for the return of the alien has been suspended, or where an alien is held, pending the determination of his case, by order of court, to await transportation, on account of his health, because his testimony is required in the prosecution of offenders against the act, or for some other cause, an application may be made, accompanied by the certificate of the medical examiner, to the Secretary of Commerce and Labor for permission to allow the landing of the alien for hospital treatment or other appropriate care or attention.

Evidence required, in urgent cases—

(*b*) Such an application will be granted as of course where it is certified by the medical examiner that the health or safety of an insane alien would be unduly imperiled by immediate deportation, or where it is manifest to the commissioner of immigration, or the immigration officer in charge, that the condition of the alien requires immediate hospital treatment. In such cases, pending the decision of the Secretary, hospital treatment or other appropriate care or attention shall be immediately afforded.

—in other cases;

(*c*) In all other cases the application will not be granted unless it clearly appears from the report of the commissioner of immigration, or the immigration officer in charge, or from other evidence accompanying the application, that such a course is necessary to meet the ends of justice and humanity.

By "express permission" of Secretary—

(*d*) Applications to land for medical treatment in a hospital of the United States by the "express permission" of the Secretary, made by or on behalf of aliens certified to be suffering from tuberculosis or from a loathsome or dangerous contagious disease (sec. 19), must be

Evidence required—

accompanied by a certificate of a Public Health and Marine-Hospital surgeon showing the exact character and extent of the malady with which the alien is suffering and estimating the duration of the treatment that will be required to effect a cure. The alien making the application, or the person making it in his behalf, shall deposit with the commissioner of immigration, or inspector in charge, a sum of money sufficient to cover the cost of affording the alien treatment for the period of time estimated in the above-mentioned certificate (and give satisfactory assurances that further deposit will be remitted

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Landing for hospital treatment:

By "express permission" of Secretary—

Deposits required—money and transportation;

if needed), if such estimated period does not exceed sixty days; and, in the event the estimate is for more than said time, a deposit shall be made sufficient to cover treatment for sixty days, and satisfactory assurances given that at least fifteen days prior to the expiration of said period a further deposit will be made sufficient to cover cost of treatment for thirty days additional and a remittance of a similar amount fifteen days prior to the expiration of the period covered by this deposit, and so on until the alien is cured and allowed to proceed, or the case otherwise disposed of. The said alien, or person interested in his behalf, shall also be advised that failure in any instance to comply with this requirement will result in deportation by the next sailing of the line involved. There shall also be deposited by the alien, or by the person making the application in his behalf, a sum of money (or transportation ticket and money) sufficient to defray the expense of forwarding the alien, if and when eventually cured, to his destination within the United States; and, in the event that such alien is a person who, by reason of infancy or other cause, will require the care of an attendant while traveling, such deposit shall be sufficient to also cover the expense of detailing an employee of the Immigration Service to accompany the alien to his destination, and the cost of the return of such employee to his or her station, or satisfactory assurances must be given that such an attendant will be furnished by the person making the application. The certificate above mentioned shall be forwarded to the Bureau of Immigration and Naturalization, accompanied by a report of the circumstances of the case, sufficiently detailed to enable the Department to determine whether there are present any peculiar conditions that render the exercise of its authority necessary to meet the ends of justice and humanity. Such report shall also show whether the deposits and assurances hereinbefore mentioned have been made and given, describing the character of the assurances. If the application is granted by the Department the alien will be permitted to enter a hospital for treatment. Should such treatment extend over a period exceeding sixty days and the deposit to cover any succeeding thirty-day period not be promptly forthcoming as above required, the fact of such failure shall be immediately reported to the Department in order that instructions for the deportation of the alien may issue. When any alien so detained is cured and allowed to proceed to destination, such amount as remains unexpended of the deposit or deposits made on his account shall be returned to the depositor and his receipt taken therefor.

Procedure regarding alien and deposits;

(*e*) The landing or detention of an alien for the purpose contemplated by this rule shall not be construed in any manner to alter the status of the alien with reference to his right to enter or remain in the United States. (Sec. 19.)

Not admission.

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Wives and children of domiciled aliens: Landing of, for treatment; Evidence required.

RULE 11. *Detention of sick wives or children.*—Where, upon the arrival of the wife or minor child or children sent for by an alien who has declared his intention to become a citizen, or of the minor child or children of a naturalized citizen, born abroad prior to his naturalization, such wife, child, or children are found to be afflicted with a contagious disorder and it can not be immediately determined whether the disorder will be easily curable, they shall be held until a determination can be had, and an application may be made, accompanied by the certificate of the medical examiner, to the Secretary of Commerce and Labor for permission to allow the landing of such wife or child for hospital treatment or other appropriate care or attention. In such cases, where necessary, pending the decision of the Secretary, hospital treatment or other appropriate care or attention shall be immediately afforded. This application or the accompanying papers must clearly show that the husband or father has actually taken up his permanent residence in this country and has actually filed his declaration of intention to become a citizen of the United States, or has actually been naturalized, and that he is in fact the husband or father of the alien in question. Nothing contained herein shall be taken as in any manner affecting the liability of transportation companies under section 9, or as altering the status of the aliens concerned with reference to their admission or exclusion. (See sec. 37, and Rules 10 and 12.)

Helpless aliens: Guardian en voyage for, when deported.

RULE 12. *Detention of attendants for helpless aliens.*—Where it is found that an alien is helpless from sickness, mental or physical disability, or infancy, and that, if excluded, he will require the protection and guardianship of an attendant upon his return to the country whence he came, if the alien arrives accompanied by others, not more than one of such accompanying aliens (preferably a natural guardian or relative) shall be detained to act if, in the judgment of the commissioner of immigration or the immigration officer in charge, such detention is necessary. Such detention shall not be deemed necessary, but is permissible, in quarantinable cases. If the alien arrives unaccompanied, a suitable person shall be employed for the purpose. The expense incident to such detention or employment and to the transportation involved shall be borne by the transportation company. (Secs. 11, 19, 21.)

Disabled aliens: Hospital treatment of;

RULE 13. *Detention and treatment of aliens, procedure and expense of.*—(*a*) A disabled alien, within the purview of Rules 10, 11, and 12 hereof, may be afforded the required medical treatment on board ship or in the detention quarters, or may be removed to a suitable hospital for treatment, as in his discretion the commissioner of immigration or inspector in charge at the port may decide is required by existing circumstances and the condition of the alien's health as reported upon by the surgeon charged

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with the medical examination of aliens at such port. If such an alien is removed to a hospital he shall not be regarded as in any sense landed, and the cost of his maintenance and care there must be borne in one of the several ways hereinafter specified, as the circumstances of the case may require. Disabled aliens:

(*b*) If in the judgment of the commissioner or inspector in charge, based upon the expressed opinion of the medical examiner, it is necessary as a measure of humanity or for the proper care of an alien removed to hospital to also place in the hospital a suitable attendant or some person who is dependent upon the disabled alien, or the reverse, the cost of the detention in hospital of such additional person must be borne in the same manner as the cost of treating the disabled alien. Attendants for;

(*c*) The expenses involved in detaining or treating aliens shall be borne as follows: (1) *By the Government.*—In cases of (*aa*) Those held as witnesses under section 19 and Rule 14; (*bb*) Insane aliens whose health or safety would be unduly imperiled by immediate deportation (sec. 19); (*cc*) Wives and minor children of aliens who have declared intention, or minor children of naturalized citizens born abroad prior to naturalization of parent (sec. 37 and Rule 11; Op. Compt., Jan. 15, 1908). (2) *By the alien.*—Those treated by "express permission" of the Secretary, under section 19, although afflicted with tuberculosis or a loathsome or dangerous contagious disease, in accordance with the provisions of Rule 10 (Op. Compt., Jan. 15, 1908). (3) *By the alien, preferably, but by immigrant fund under special authority.*—Aliens whom it is necessary for any reason to hold at a port of entry, *after admission*, in accordance with Rule 15. (4) *By steamship companies.*—Aliens not falling within any of the foregoing classes whom it is necessary for any reason to hold or to treat in hospital *pending determination* of right to land, or awaiting deportation under order of rejection of a board of special inquiry or of the Department (sec. 19). Expenses of hospital care of;

(*d*) Covering cases of the character mentioned in class (4) of the preceding paragraph, bills for hospital treatment and maintenance shall be rendered monthly by hospitals against the steamship companies responsible, through the office of the commissioner of immigration or inspector in charge, the latter's approval to be attached to the bills, if found correct, before forwarding them to the companies for settlement. Officers of the Immigration Service will in all such cases look to the steamship companies for settlement of the hospital bill. If any steamship company refuses to pay such bills rendered with the approval of the immigration officials, it will, of course, be necessary to require thereafter that all aliens brought by the vessels of such company shall be held on board ship until their applications for admission have been finally adjudicated. Bills for hospital treatment of; Refusal to pay for treatment of.

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Witnesses:
Holding aliens to act as.

RULE 14. *Holding of aliens as witnesses.*—When it is thought that the deportation of an excluded alien should be suspended so that his testimony may be had in a prosecution of offenders against the Immigration Act, in reporting to the Bureau the violation of law involved, immigration officials should give reasons for the belief that the violators should be prosecuted and the aliens held as witnesses, and if such reasons are found sufficient, authority will issue, with the approval of the Secretary, for the holding of the witnesses at the expense of the "appropriation for the enforcement of the immigration act." (Sec. 19.)

Assisting and protecting aliens:
Providing means in case of accident.

RULE 15. *Assistance to admitted aliens.*—Any alien who has been admitted may be permitted to wait for friends or remittances upon payment by him of the actual expenses incurred by reason of such delay. In case such an alien is unable, from accident or other unavoidable circumstances, to immediately continue his journey, and is without sufficient means to defray the expense of his enforced delay, the commissioner of immigration may, in his discretion, pay said expense, reporting said case to the Bureau of Immigration and Naturalization, with reasons for his action, and request that such expense be repaid out of the "appropriation for the enforcement of the immigration act."

Charges for care and maintenance:
Not to exceed actual cost.

RULE 16. *Charges for care and maintenance.*—At ports where the Immigration Service maintains hospitals no charge for food, lodging, or maintenance, or for hospital attendance, medicines, or other hospital expenses shall be made in excess of the actual cost of furnishing the same, the intention being to make the Service self-supporting without profit.

Members of boards of special inquiry:
Oath to be taken by.

RULE 17. *Oath, board of special inquiry.*—Any immigration or other Government officer appointed to serve on a board of special inquiry under the provisions of section 25 of the Act approved February 20, 1907, shall be required to subscribe to the following oath:

FORM 566. DEPARTMENT OF COMMERCE AND LABOR,
IMMIGRATION SERVICE.

I, _____, having been designated by _____ _____ to serve as a member of a board of special inquiry, under the provisions of section 25 of the act of Congress approved February 20, 1907, do solemnly _____ that I will use my best endeavors as a member of such board to enforce the laws of the United States relating to the admission or exclusion of certain classes of aliens, and that I will well and faithfully discharge the duties of the office mentioned.

_____ and subscribed before me this _____ day of _____ _____, A. D. 19__.
[Official seal.]

Attorneys:
Fees to be charged by;

RULE 18. *Appearance of attorneys.*—Attorneys and persons appearing in behalf of detained aliens shall not be permitted to charge a sum exceeding ten dollars in each case unless the commissioner or officer in charge shall, in

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writing, allow an additional compensation. A family or party of aliens traveling together shall be regarded as constituting a "case" within the meaning hereof. If for any special reason an attorney deems himself entitled to a larger fee, or if it is actually necessary for such attorney to incur expense in an alien's behalf, he shall report such facts to the commissioner or officer in charge when applying for the privilege of charging an additional fee or claiming reimbursement for expenses, and, if permission is granted, shall collect such additional fee or expenses only through the commissioner or officer in charge. Anyone charging an alien a fee prior to his detention, or charging or receiving from an alien or his relatives or friends a fee, gift, or compensation for his services in excess of the above rate, except in the manner provided, or who shall deprive an alien of any part of his chattels or effects in lieu of, or as security for, said fee, will, upon reasonable proof of such misconduct, and after having been allowed a fair opportunity to answer the charge, be disbarred by the Department (to which a full report of the matter shall be made) from practicing at any immigration station of the United States. The names and addresses of attorneys or other persons so disbarred shall be conspicuously posted at the immigration station where the misconduct occurred and their names recorded in the office of the Commissioner-General of Immigration.

Attorneys:

Method of disbarring for misconduct;

Keeping record of.

RULE 19. *Notice of sailings.*—The master, agent, owner, or consignee of any vessel on which aliens are brought to the United States shall, at least twenty-four hours in advance thereof, notify the commissioner of immigration or officer in charge of the intended time of sailing of such vessel, in order that such officer may place on board the vessel every alien brought thereon who has been finally refused a landing.

Notice of sailings:

Masters of vessels to give.

RULE 20. *Admissions under bond.*—If, in following the provisions of Rule 6 hereof relating to appeals, *the board of special inquiry reaches the conclusion* that an alien in whose case a medical certificate for some *physical* defect, other than tuberculosis or a loathsome or dangerous contagious disease, has been rendered *is* excludable solely because such certified physical defect is, in the board's opinion, "of a nature which may affect the ability of such alien to earn a living," or render him liable to become a public charge, but that such alien is otherwise admissible, and, after notice of his right to do so, the alien signifies an intention to apply for admission under bond, the board shall not enter an excluding decision against the alien as in other cases, but shall make a special finding of fact in the premises and report the same, including the certificate of the medical examiner, to the immigration officer in charge, who shall forward the report, together with his recommendation, to the Secretary of Commerce

Admissions under bond:

Cases in which permissible;

Procedure for;

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Admissions under bond: and Labor, through the Commissioner-General of Immigration. (See secs. 10 and 26 and Rule 6.)

Amount of bond; If, in the exercise of the discretion conferred by law, the Secretary decides to admit the alien, a bond will be required in an amount which in no case shall be less than five hundred dollars. The sureties thereto shall be parties of known and ascertained responsibility and approved by the commissioner of immigration or immigration officer in charge. The bond shall be executed in duplicate on forms supplied by the Bureau, but shall not be accepted until landing of the alien under bond is authorized by the Department.

Sureties on bond;

Bond to be in duplicate;

Procedure if bond not forthcoming. If, within a reasonable time, not to exceed thirty days, after the receipt of the Department's authority for the landing of an alien under bond, there is not forthcoming bond with acceptable sureties, that fact, and all others that may have a bearing upon the matter, shall be reported to the Department, with request for instructions; and if in any such case the former decision of the Department is reversed, the alien shall then be formally rejected by the board.

Japanese and Korean laborers: RULE 21. *Japanese and Korean laborers.*—The following rule is promulgated for the purpose of giving effect to an Executive order of the President issued on March 14, 1907, reading:

President's proclamation concerning; Whereas, by the act entitled "An act to regulate the immigration of aliens into the United States," approved February 20, 1907, whenever the President is satisfied that passports issued by any foreign government to its citizens to go to any country other than the United States or to any insular possession of the United States or to the Canal Zone, are being used for the purpose of enabling the holders to come to the continental territory of the United States to the detriment of labor conditions therein, it is made the duty of the President to refuse to permit such citizens of the country issuing such passports to enter the continental territory of the United States from such country or from such insular possession or from the Canal Zone;

And Whereas, upon sufficient evidence produced before me by the Department of Commerce and Labor, I am satisfied that passports issued by the Government of Japan to citizens of that country or Korea and who are laborers, skilled or unskilled, to go to Mexico, to Canada and to Hawaii, are being used for the purpose of enabling the holders thereof to come to the continental territory of the United States to the detriment of labor conditions therein;

I hereby order that such citizens of Japan or Korea, to wit: Japanese or Korean laborers, skilled and unskilled, who have received passports to go to Mexico, Canada or Hawaii, and come therefrom, be refused permission to enter the continental territory of the United States.

It is further ordered that the Secretary of Commerce and Labor be, and he hereby is, directed to take, through the Bureau of Immigration and Naturalization, such measures and to make and enforce such rules and regulations as may be necessary to carry this order into effect.

Subject to general immigration laws; (*a*) Aliens from Japan and Korea are subject to the general immigration laws.

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Japanese and Korean laborers: Limited passports held by;

(*b*) Every Japanese or Korean laborer, skilled or unskilled, applying for admission at a seaport or at a land-border port of the United States and having in his possession a passport issued by the Government of Japan, entitling him to proceed only to Mexico, Canada, or Hawaii, shall be refused admission.

Presumptions concerning;

(*c*) If a Japanese or Korean laborer applies for admission and presents no passport, it shall be presumed (1) that he did not possess when he departed from Japan or Korea a passport entitling him to come to the United States, and (2) that he did possess at that time a passport limited to Mexico, Canada, or Hawaii.

Passports to U. S. or unlimited;

(*d*) If a Japanese or Korean alien applies for admission and presents a passport entitling him to enter the United States or one which is not limited to Mexico, Canada, or Hawaii, he shall be admitted, if it appears that he does not belong to any of the classes of aliens excluded by the general immigration laws.

Evidence as to status of;

(*e*) If a Japanese or Korean alien applies for admission and presents a passport limited to Mexico, Canada, or Hawaii, and claims that he is not a laborer, either skilled or unskilled, reasonable proof of this claim shall be required in order to permit him to enter the United States.

Appeal by;

(*f*) When a Japanese or Korean alien is rejected as being a skilled or unskilled laborer holding a passport limited to Mexico, Canada, or Hawaii, he shall be allowed the right of appeal to the Secretary of Commerce and Labor under the same conditions as attach to aliens rejected under the general immigration laws.

Arrest of;

(*g*) If a Japanese or Korean skilled or unskilled laborer is found in the continental territory of the United States without having been duly admitted upon inspection, the procedure employed under the general immigration laws for the arrest and hearing of aliens who have entered the United States surreptitiously shall be observed, to the end that the right of such alien to be and remain in the United States may be determined; and if it shall appear that such alien falls within the class excluded by the foregoing Executive order, and has entered the United States since the 14th of March, 1907, the said alien shall be deported according to the provisions of sections 20, 21, and 35 of the act of Congress approved February 20, 1907.

Deportation of;

Right of, to communicate with diplomatic officers;

(*h*) In case any Japanese or Korean is detained or denied admission by virtue of the foregoing Executive order, he shall, in addition to being informed of his right of appeal to the Secretary of Commerce and Labor, be advised that he may communicate by telegraph or otherwise with any diplomatic or consular officer of his Government, and shall be afforded opportunities for so doing.

Courtesy and consideration due to;

(*i*) The officials of the Department charged with the enforcement of the immigration laws are instructed that in the execution of this rule scrupulous care shall be

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Japanese and Korean laborers:

taken to see that the courtesy and consideration which the Department requires in the case of all foreigners, of whatever nationality, are shown to those affected by this rule. All officers of this Department are hereby warned that no discrimination will be tolerated, and that those coming under this rule must be shown every courtesy and consideration to which the citizens of most favored nations are entitled when they come to the United States.

Definition of term "laborer, skilled and unskilled;"

(*j*) For practical, administrative purposes, the term "laborer, skilled and unskilled," within the meaning of the Executive order of March 14, 1907, shall be taken to refer primarily to persons whose work is essentially physical, or, at least, manual, as farm laborers, street laborers, factory hands, contractors' men, stable men, freight handlers, stevedores, miners, and the like; and to persons whose work is less physical, but still manual, and who may be highly skilled, as carpenters, stone masons, tile setters, painters, blacksmiths, mechanics, tailors, printers, and the like; but shall not be taken to refer to persons whose work is neither distinctively manual nor mechanical, but rather professional, artistic, mercantile, or clerical, as pharmacists, draftsmen, photographers, designers, salesmen, bookkeepers, stenographers, copyists, and the like. The foregoing definition is subject to change, and will not preclude the Secretary of Commerce and Labor from deciding each individual case which comes to him by way of appeal in accordance with the particular facts and circumstances thereof.

Indorsement of passports.

(*k*) Passports presented by Japanese and Koreans shall be plainly indorsed, in indelible ink, by the officer admitting or rejecting the applicant, in such a manner as to show the fact and date of admission or rejection, the name of the officer being signed to such indorsement; after which the passport shall be returned to the person by whom presented.

Seamen:

RULE 22. In consideration of the necessities of commerce and navigation, it has been held that foreign seamen arriving at the ports of the United States, and landing therein in the pursuit of their calling, are not ordinarily within the operation of the immigration act (23 Op. Atty. Gen., 521; 207 U. S., 120). But in order that this exemption shall not avail to permit the introduction into the United States of aliens excluded therefrom by the said act, it is necessary to observe the following distinctions between foreigners who are seamen and other aliens:

Why examination of necessary;

Who are seamen;

A seaman is any person employed to serve in any capacity on board any vessel plying between foreign ports and ports of the United States, whose occupation consists in following the sea, and who lands in the United States with no intention of remaining, and not otherwise than on shore leave, or on the business of his vessel, or for the purpose of reshipping.

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Seamen:

In coastwise trade;

Aliens, members of the crew of vessels engaged in the coastwise trade of the United States, are aliens within the meaning of the immigration act and subject to its provisions (Ops. Solr., June 14, 1907, and Sept. 16, 1907).

Discharged;

Aliens, though members of the crew of vessels engaged in the foreign trade, if their employment terminates at the end of the voyage to the United States, or if discharged in a port of the United States, are to be treated as seamen only if it appears that they intend to reship on a vessel bound to a foreign port, or to depart from the country within a reasonable time.

Deserting;

Aliens, though members of the crew of vessels engaged in the foreign trade, if they desert their ship, shall, until the contrary is shown, be deemed to have abandoned their calling, and to be no longer seamen, within the meaning of this rule.

Found in United States otherwise engaged;

Aliens, though landing in the United States as seamen, if found thereafter engaged in any occupation not connected with the business of a vessel to which they are attached, or if found to be public charges, shall be treated as other aliens are treated, and shall be liable to deportation in like manner and for like causes.

Application of act to;

In the application of the immigration act to aliens, members of the crew of vessels engaged in the foreign trade of the United States, the following instructions will be observed:

General procedure regarding—

To what extent examined;

(*a*) Aliens coming to the United States as members of the crew of any vessel, who are found to be seamen as herein defined, shall not be examined by officers of the Immigration Service further than may be necessary to determine their status as seamen, and to ascertain that they are not insane, idiots, imbeciles, epileptics, or persons afflicted with tuberculosis or with a loathsome or dangerous contagious disease; head tax shall not be certified on their account; they shall not be prevented from landing temporarily in the United States, nor required to land at any designated time or place; neither shall any manifest of them be required, nor shall they necessarily be returned to the country whence they came by the vessels bringing them. Alien seamen, however, who are insane, idiots, imbeciles, epileptics, or persons afflicted with tuberculosis or with a loathsome or dangerous contagious disease, and the existence of whose disease or disability might have been detected by means of a competent medical examination at the time of foreign embarkation, are persons whose employment on board vessels is in nowise necessary to commerce and navigation, and who are, accordingly, not within the exception in favor of seamen, because not within the reason thereof. The bringing of such seamen to the United States, therefore, is unlawful by the terms of section 8.

If mentally or physically afflicted, not considered *bona fide;*

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Seamen:

All seamen to be primarily inspected;

(*b*) All aliens coming to the United States as members of the crew of a vessel, who, for any of the reasons hereinbefore mentioned, are found not to be seamen as herein defined, shall in no respect be distinguished, by reason of their present employment, from other aliens seeking admission into the United States; but it shall be the duty of the inspectors and medical officers detailed for the purpose to determine whether such aliens are clearly and beyond doubt entitled to land, and to hold for examination by a board of special inquiry such as are not so entitled, and to follow the same procedure as in the case of alien passengers seeking to land, including the certification of head tax on account of those landed.

If not *bona fide*, must not be landed;

(*c*) In case any alien employee of a vessel is found by the immigration officials not to be a *bona fide* seaman seeking to land in the pursuit of his calling, and is declared by such officials inadmissible under the immigration act, the master, owner, agent, or consignee of such vessel will be required, subject to the penalties imposed by said act, to prevent the landing of such inadmissible alien and to return him to the country whence he came.

Head tax not assessable on if *bona fide;*

(*d*) Head tax shall not be assessed on account of *bona fide* seamen landing in the pursuit of their calling. On account of such as are discharged with the intent to remain in the United States, and on account of those who are found or shown to have deserted and remained in the United States, the head tax shall be assessed.

Manifests of not *bona fide;*

(*e*) Of such aliens employed on board vessels as are found by the immigration officials not to be *bona fide* seamen, or not to be seeking to land in the regular course of their pursuit with intent to continue their calling, the immigration officials shall prepare lists, in lieu of manifests, for use in compiling statistics, indicating in such lists that the alien applicants therein enumerated arrived at the port as employees of a vessel.

Procedure if ill and law of vessel's country requires return home;

(*f*) If, upon the arrival of a vessel from a foreign port, it is discovered that any alien member of the crew of such vessel is ill or disabled to such an extent as to make it obligatory upon the master of the vessel, under the navigation laws of the country to which the vessel belongs, to return the seaman to the country where he embarked, immigration officials shall confer with the master and with the consular representative of the country to which the vessel belongs, with the object of perfecting plans by which the master may be able to observe the laws of his own country without making possible or encouraging a violation of the immigration laws of the United States. If the disabled seaman relinquishes his calling, he shall be treated like any other alien seeking admission to the United States; and if, upon being brought before a board of special inquiry, his rejection

Care to be exercised concerning, when ill and allowed transit;

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Seamen:

is ordered the master of the vessel shall be required to return him by such vessel, or at his own expense, to the country where he embarked. If the seaman does not relinquish his calling, or if the master desires to return him otherwise than by the vessel on which he arrived, it will be permissible for him to pass through the United States, in transit to the country where he embarked, by the most expeditious and direct route: *Provided*, That (if he is suffering with a loathsome or dangerous contagious disease, or with tuberculosis, or is in such physical or mental condition as to render him a person likely to become a public charge or otherwise inadmissible) arrangements are made for his proper care while passing through the country, and a sum of money sufficient to defray the expenses thereof is furnished by the master of the vessel. This being a provision made in the interest of trade, and because of the peculiar position occupied by seamen under principles of international comity, immigration officials shall exercise care to insure a thorough understanding with all parties concerned, that violations of the immigration laws may be provided against, and that the spirit of foreign laws may be observed.

Special procedure concerning, to be followed in lieu of general procedure if agreed to by vessel—

(*g*) With a view to the more efficient enforcement of the immigration law with respect to foreign crews, and for the greater convenience both of officers of the Immigration Service and of the commercial interests involved, the following special procedure will be observed in cases where the master, agent, owner, or consignee of any vessel engaged in the foreign trade of the United States shall give satisfactory assurances of ability and willingness to comply with the conditions thereof:

Mental and physical examination of, at foreign ports;

1. The master, owner, agent, or consignee of any such vessel shall enforce at its foreign ports of departure and call a rigid medical examination of aliens seeking employment on such vessel which will insure the rejection of any and all applicants suffering with any mental or physical affliction which would make them inadmissible to the United States under section 2, or would render the vessel liable to the fine mentioned in section 9 of the immigration act. Any failure on the part of any vessel to enforce such a medical examination in the case of any member of the crew, coming to the knowledge of an officer of the Immigration Service, shall be promptly reported to the Department for appropriate action.

Report of prospective discharge of, in United States ports;

2. In any case in which an alien seaman is not employed or articled for the return trip voyage to and away from the United States, and in any case in which it becomes necessary for any reason to discharge an alien member of a crew, the master, owner, agent, or consignee of the vessel shall notify the commissioner of immigration or the immigrant inspector in charge at the port of such necessity in due season to permit the inspection and examination of such alien under the provisions of the immigration act.

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Seamen:
Regulation of shore leave, and reporting suspicious cases of;

3. Masters, owners, agents, and consignees of such vessels shall enforce in the ports of the United States regulations on the subject of shore leave which will prevent as far as possible the permanent landing of alien members of the crew before inspection by the immigration authorities. They shall, also, furnish the immigration authorities with the names of aliens employed on their vessels of the *bona fides* of whose intention to follow the sea they have any reason to doubt, and shall afford opportunity for the inspection of such aliens; and, except by express permission of the Immigration Service, they shall under no condition grant shore leave or permit the landing of alien seamen who are insane, idiots, imbeciles, epileptics, or persons afflicted with tuberculosis or with a loathsome or dangerous contagious disease.

Reporting desertions of, and apprehending deserters;

4. When desertions occur, the master, agent, owner, or consignee of the vessel shall promptly notify the local immigration authorities of the name and description of the deserter, and any other information obtainable which would aid in the apprehension of such deserter, to the end that he may be returned to the vessel for conveyance to the foreign port of shipment.

Presumptions in favor of vessels under special procedure.

Where the foregoing conditions have been faithfully complied with, and satisfactory evidence thereof has been presented, of the sufficiency of which the Secretary of Commerce and Labor shall be the sole judge, the master, agent, owner, or consignee will be deemed to have provided a "competent medical examination" of the vessel's crew at the time of foreign embarkation within the meaning of section 9, and will be deemed to have taken reasonable precautions to prevent the landing of alien members of the crew within the meaning of section 18; and the special procedure prescribed in the several articles of this paragraph (*g*) will be followed.

Stowaways:
To be treated like other aliens.

RULE 23. *Stowaways.*—The Immigration Act contains no provision expressly relating to stowaways. Such persons must be dealt with, therefore, if they seek admission to the United States, precisely as other aliens are dealt with.

Alien stowaways must be reported and manifested by the masters of vessels, immediately upon arrival at a port of the United States, in the same manner as other aliens: *Provided, however*, That the name of every such person shall be followed by the word "stowaway." Head tax shall be certified on their account, and they shall be examined under the Immigration Act touching their right to enter the United States.

Ports of entry, Canada:
List of.

RULE 24. *Ports of entry, Canada.*—In accordance with section 36, the following are named as Canadian border ports of entry for aliens; and any alien who enters the United States across such border at any other point shall be deemed to have entered the country unlawfully, and

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shall be arrested and deported under sections 20, 21, and 35 of said act, in the manner provided by Rule 34 hereof: Eastport, Calais, Vanceboro, Fort Kent, Fort Fairfield, Van Buren, Houlton, and Lowelltown, Me.; Beechers Falls, N. H.; Island Pond, Newport, Richford, St. Albans, Swanton, and Alburg, Vt.; Rouses Point, Malone, Fort Covington, Nyando, Ogdensburg, Morristown, Clayton, Cape Vincent, Charlotte, Lewiston, Niagara Falls, and Buffalo, N. Y.; Detroit, St. Clair, Port Huron, and Sault Ste. Marie, Mich.; Duluth, Ranier, International Falls, Warroad, Beaudette, and Noyes, Minn.; Pembina, Neche, Walhalla, Portal, and St. John, N. Dak.; Sweet Grass and Gateway, Mont.; Porthill and Eastport, Idaho; Marcus, Oroville, Sumas, and Blaine, Wash.

Canadian agreement:

RULE 25. *Admission and exclusion, Canadian ports.*— In view of the agreement between the various steamship and railroad companies in the Dominion of Canada and the Commissioner-General of Immigration of the United States of America, inspection and entry of aliens into the United States from foreign countries, through Canadian territory, under the Immigration Act, will be accomplished in accordance with the following provisions:

Admission under;

(*a*) All aliens arriving in Canada, destined to the United States, shall be inspected at any one of the following ports: Halifax, Nova Scotia; Quebec and Point Levi, Quebec; St. John, New Brunswick; and Vancouver and Victoria, British Columbia; and the holders of certificates, duly signed by the United States commissioner of immigration for Canada, shall be entitled to admittance to the United States, at any one of the places of entry along the border thereof named in Rule 24, without further examination by the United States immigration officers as to their right to enter, upon their identification and their surrender of said certificates to such officials.

Seaports of inspection;

Certificates of admission;

(*b*) The said certificates shall be in the following form:

Alien certificate. No. ____

Form of;

FORM 524. DEPARTMENT OF COMMERCE AND LABOR,
IMMIGRATION SERVICE,

_____, ____.

This is to certify that _____, a native of _____, who arrived at the port of _____ per steamship "_____," on the _____, 19__, has been duly inspected and registered, and will be admitted into the United States upon proper identification and surrender of this certificate to any immigration officer at the frontier.

The description of the holder is as follows: Age, _____; height, _____; weight, _____; color of hair, _____; color of eyes, _____.

Remarks: [Note destination, etc.]_____

_____,
U. S. Commissioner of Immigration.

Surrendered at _____, to Inspector _____
_____, 19__.

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Canadian agreement: Seaport examination by inspectors and boards;

(*c*) The examination at Canadian ports of all aliens destined to the United States shall be similar in all respects to that conducted at ports of the United States. Such aliens as, in the opinion of the examining inspector, are not clearly entitled to admission shall be taken before a board of special inquiry, the decision of which shall be final, unless reversed upon appeal, as provided for in section 25.

Deportation of rejected aliens;

(*d*) All aliens arriving at Canadian seaports, destined to the United States and who may be adjudged inadmissible thereto, shall be refused the certificates herein called for, and the steamship company bringing such aliens to such Canadian seaport shall be required to return them to the countries from which they respectively came.

Manifests of incoming passengers;

(*e*) The masters, owners, or agents of vessels bringing aliens to Canadian ports, destined to the United States, shall be required to furnish to the United States immigrant inspectors in charge at such ports complete manifests and alphabetical books of all alien passengers arriving upon vessels of their respective lines, and, in addition thereto, complete manifests of all alien passengers destined to the United States such as are now required by law in the cases of vessels bringing aliens to the ports of the United States; and the said masters, owners, or agents shall pay to the United States commissioner of immigration for Canada the sum of four dollars for each and every alien brought to a Canadian port and destined to the United States: *Provided*, That no head tax shall be levied against or collected from Canadian steamship lines on aliens brought to Canada, destined to the United States, who are shown to belong to any one of the excluded classes and who are returned to the country whence they came. In addition to the foregoing, the Canadian steamship companies will furnish to the United States commissioner of immigration for Canada (for transmission to the Commissioner-General of Immigration) manifests of all passengers not citizens of the United States leaving the United States and proceeding by the vessels of such companies to foreign ports, as required in the cases of United States transportation companies by section 12.

Payment of head tax;

Manifests of outgoing passengers;

Certificates of admission;

(*f*) All aliens of the class upon whom head tax is chargeable not provided with certificates of the character described in paragraph (*a*) hereof who shall apply at the border between Canada and the United States within one year after arriving at a Canadian port shall be required to return to such port, or to any one of the ports designated in paragraphs (*a*) and (*f*) hereof, for guaranty of payment of head tax, examination, and the procurement of the certificate described in paragraph (*a*): *Provided*, That aliens destined in good faith to Canada, and who shall have settled at some point in the Dominion of Canada, who shall apply as above for admission to the United States within one year after arrival in Can-

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ada, shall be examined by the boards of special inquiry located at any one of the following points: Yarmouth, Nova Scotia; Montreal, Quebec; Newport, Vt.; Buffalo and Suspension Bridge, N. Y.; Detroit, Port Huron, and Sault Ste. Marie, Mich.; Duluth, Minn.; Winnipeg, Manitoba; Portal, N. Dak.; Sweet Grass, Mont.; and Sumas and Blaine, Wash. That the decisions of the said boards of special inquiry shall have the same force and effect as decisions rendered by boards of special inquiry at seaports of the United States. That the various steamship lines shall return at their own expense, from some seaport of the Dominion of Canada or of the United States, as they may deem most practicable and may elect, to the trans-Atlantic or trans-Pacific country whence the aliens came, those aliens coming within the provisions of this paragraph who are shown to belong to any of the excluded classes mentioned in section 2, whenever in the judgment of the Secretary of Commerce and Labor the deportation of such aliens in the manner described is deemed necessary to safeguard the interests of the United States.

Canadian agreement: Extra boards; Effect of board decision; Deportation of aliens rejected by boards;

(*g*) All facilities in the way of accommodations, access to aliens, and the keeping of aliens apart from the public until after inspection shall be afforded to the immigrant inspectors of the United States at the Canadian ports of landing to enable them to make such inspection as is required by the laws of the United States.

Facilities at seaports;

(*h*) It is expected that the railway and other transportation companies in the Dominion of Canada will not sell to any aliens en route to any part of the United States tickets for their transportation, or transport them in cars or vessels from the port of entry, until after they have exhibited their certificates as herein provided, and will not knowingly transport into the United States any rejected or undesirable aliens or those who are by law prohibited from entering said country, but will return the rejected aliens to the ports at which they arrived. All aliens on account of whom the transportation companies are exempted from payment of head tax, who proceed to the border between the United States and Canada without having first been examined and granted a certificate of admission of the character described in paragraph (*a*) hereof, and who may be excluded by a border board of special inquiry, shall be returned by the transportation company carrying said aliens to the border a reasonable distance in Canada from said border. Aliens of the class last above mentioned carried to a border point where there is no board of special inquiry shall be returned and conveyed for examination to the nearest point at which a board of special inquiry is located.

Certificates of admission; Prerequisite to transportation; Returning aliens not holding certificates of admission; Examination before boards;

(*i*) The various steamship lines, parties to the Canadian agreement, shall return at their own expense, at any time within three years from the date of landing in

Deportation of excluded and deportable classes;

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Canadian agreement:

Canada, from some Canadian port, or when that is not practicable from some port of the United States, such aliens as, having been brought into the Dominion of Canada upon their respective lines and having subsequently proceeded to the United States, are shown to belong to any one of the excluded or deportable classes mentioned in the act of Congress approved February 20, 1907, whenever deportation of such an alien is ordered by the Secretary of Commerce and Labor.

Application of regulations to aliens coming through Canada;

(*j*) The immigration regulations adopted by the Department of Commerce and Labor relating to the examination of aliens at ports of the United States shall apply, in so far as may be practicable, to the inspection of aliens coming through the Dominion of Canada destined to the United States.

Guaranteeing payment of head tax;

(*k*) All aliens of the taxable class seeking to enter the United States from Canada or Newfoundland shall be denied examination under the United States immigration laws (except to a sufficient extent to determine their liability for head tax) until they present to the examining officer or officers a certificate from a duly appointed agent of the transportation company bringing such aliens to the border, guaranteeing that responsibility for the payment of head tax on account of such aliens will be assumed by said transportation company, certificate guaranteeing payment of head tax being returnable to the applicant for admission in the event of his exclusion, such certificate before its return to the alien to have the word "Rejected" stamped or written in red ink across its face.

Returning head-tax certificate;

Disposition of head tax collected in Canada;

(*l*) All moneys collected as provided in paragraph (*e*) hereof shall be transmitted by the United States commissioner of immigration for Canada to an assistant treasurer of the United States in the same manner as other miscellaneous collections are reported by collectors of customs of the United States, to be deposited to the credit of the Treasurer of the United States on account of the "immigrant fund." Statement of such receipts, under this agreement, must be rendered monthly to the Secretary of Commerce and Labor, on forms provided for that purpose.

Commissioner bonded;

(*m*) Said United States commissioner of immigration for Canada shall give bond to the United States in the sum of ten thousand dollars, with sureties approved by the Secretary of Commerce and Labor, conditioned for the faithful discharge of his duties and the remittance of above collections. He shall make monthly reports to the Commissioner-General of Immigration, upon blanks to be furnished by the Department of Commerce and Labor, of all aliens arriving at stations under the jurisdiction of the said commissioner of immigration.

Reports from Canadian border.

(*n*) United States officers charged with the execution of the immigration laws and regulations along the Canadian border will, at the end of each month and from time to time as may be required, report in writing to the United States commissioner of immigration for Canada,

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upon blanks to be prescribed by him, the number of aliens passing through their respective ports of entry and the Canadian ports at which they landed, and the said commissioner of immigration for Canada will make to the Commisisoner-General of Immigration similar reports in consolidated form, comprising both ocean and border ports.

Ports of entry, Mexico: List of.

RULE 26. *Ports of entry, Mexico.*—In accordance with section 36, the following are named as Mexican border ports of entry for aliens, and any alien who enters the United States across such border at any other point shall be deemed to have entered the country unlawfully, and shall be arrested and deported, under sections 20, 21, and 35 of said act, in the manner provided by Rule 34 hereof: Brownsville, Hidalgo, Rio Grande City, Laredo, Eagle Pass, Del Rio, Presidio, and El Paso, Tex.; Douglas, Naco, and Nogales, Ariz.; and Andrade, Campo, Calexico, and Tia Juana, Cal.

Mexican border:

Inspection along;

RULE 27. *Admission and exclusion, Mexico.*—Aliens applying for admission at the Mexican border ports of entry named in Rule 26 are subject to examination in the same manner and to the same extent as though arriving at seaports, except in the following particulars:

Blanks to be used in collecting statistics and head tax;

(*a*) In the cases of aliens who are brought to said ports by a transportation or bridge company statistical data shall be gathered and information as to the manner in which head tax, if taxable, is to be assessed indicated by the use of a blank form reading as follows:

Report of inspection—Mexican border.

FORM 548. DEPARTMENT OF COMMERCE AND LABOR,
IMMIGRATION SERVICE,
PORT OF _____,
(*Date*) _____, *19__*

Name of passenger, _____; Age, _____; Sex, _____; Married or single, _____; Calling or occupation, _____; Read or write, _____; Nationality, _____; Race, _____; Last residence, _____; Final destination, _____; Ticket to destination, _____; Who paid passage? _____; Money, _____; Going to relative or friend; if so, whom? _____; Ever in U. S.? _____; if so, where and when? _____; Ever in prison, etc.? _____; Polygamist, _____; Anarchist, _____; Contract laborer, _____; Health, etc., _____; Whether in transit; and if so, how? _____; Admitted on primary inspection, _____; Held for board of special inquiry, _____; Whether taxable; and if so, transportation or bridge company or individual responsible for payment of head tax, _____

(*Signature*) _____
(*Title*) _____

Use of above blank;

(*b*) The above blank shall be used by every officer of the immigration service making examinations of aliens brought to Mexican border ports by transportation or bridge companies, and shall be filled out completely in each case and delivered to the inspector in charge at the port of entry, who will thereupon compile from such

Blanks for reporting aliens subject to head tax;

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Mexican border: forms a detailed notice to the collector of customs, upon blanks which will be provided, reading as follows:

Statement of aliens subject to head tax—Mexican border.

FORM 549. DEPARTMENT OF COMMERCE AND LABOR,
IMMIGRATION SERVICE,
OFFICE OF _____,
PORT OF _____,
(*Date*) _____, *19__*

COLLECTOR OF CUSTOMS,
Port (or district of) _____

I hereby certify that head tax has been incurred by _____ (transportation or bridge company or individual) _____ on account of alien passenger__ arriving by [a] _____ on this date, and duly admitted, as follows:

Aliens subject to head tax, at $4 each, as follows:

_____ $_____
_____ _____

Amount to be deposited on account of alien__ in transit (Rule 41) and held as special deposit (Treasury decision 24439), as follows:

_____ $_____
_____ _____

Total _____ $_____

(*Signature*) _____
(*Title*) _____

Examination concerning funds in alien's possession. (*c*) In the cases of taxable aliens who cross the border by other than regular (bridge or railway) transportation as a preliminary to regular examination under the laws, such alien shall be questioned only sufficiently to determine with precision whether, in the event that full examination should show him to be admissible, he is in financial condition to pay the four dollars head tax. If found to be in possession of sufficient funds in this respect, the examination may be completed, and if the alien is found eligible he shall be required to pay the head tax before being permitted to land; the blanks above given to be used for the purpose of certifying the head tax to the collector of customs.

Fines: RULE 28. *Fine, bringing of diseased aliens.*—As a means of enforcing the collection of any fine imposed under the provisions of section 9 of the Immigration Act, the said section directs the refusal of clearance papers to any vessel bringing an alien diseased as described therein to a port of the United States. To avoid, on the one hand, the denial of reasonable time to the master, agent, owner, or consignee to show cause why such fine should not be imposed and, on the other hand, the loss of the summary and effective means provided for the collection of such fines, the following instructions will be observed:

On account diseased aliens—

Manner of imposing;

Medical certificates; (*a*) The certificate of the medical examiner in the case of an alien afflicted with a loathsome or dangerous contagious disease shall state in terms whether, in his judgment, the "existence of such disease might have been detected by means of a competent medical examination at the port of foreign embarkation."

[a] Give train number or state mode of transportation.

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Fines:
On account diseased aliens—
Notification;

(*b*) Upon the receipt of a medical certificate in compliance with the preceding paragraph hereof, the commissioner of immigration or inspector in charge at the port of arrival shall *at once* serve notice upon the master, agent, owner, or consignee of the vessel upon which such alien arrived in the following form, printed blanks for that purpose to be procured from the Department, viz:

Form of notice;

Notice of liability for fine on account of bringing diseased alien to the United States.

FORM 507. [Prepare in triplicate.]

DEPARTMENT OF COMMERCE AND LABOR,
IMMIGRATION SERVICE,
OFFICE OF_____,
PORT OF_____,
_____, 19__

To_____
_____ of the steamship _____
[Master, agent, owner, or consignee.]

In conformity with the requirements of Rule 28 of the Immigration Regulations, you are hereby notified that the certificate of the examining surgeon, based upon a physical examination of the alien whose name is shown herein, indicates that a fine should be imposed under the provisions of section 9 of the Immigration Act approved February 20, 1907.

If you desire a hearing as to whether a fine should be imposed in this instance, you will be allowed sixty days from the date of this notice for that purpose, and the vessel on which the said alien arrived will be granted clearance papers when she is ready to sail and allowed to proceed upon her outward-bound voyage, upon condition that you deposit with the collector of customs at this port, prior to her sailing, the sum of one hundred dollars as security for the payment of the said fine, should it be imposed.

Name of alien.	Steamship.	Disease.
_____	_____	_____

[Name.]

[Official title.]

Received the above notice _____, 19__, at _____ M.
[Time.]

(Witness:)

Disposition of notice;

(*c*) The notification shall be prepared in triplicate, the original to be delivered by an employee of the Immigration Service at the office of the master, agent, owner, or consignee to whom it is addressed, said employee to witness the signature of the recipient. Receipt of service shall be indorsed upon the duplicate and triplicate, the duplicate to be returned to the office of the commissioner of immigration or inspector in charge and preserved as proof of delivery, and the triplicate to be delivered to the collector of customs, who will withhold clearance papers until the deposit is made.

Deposit;

(*d*) The special deposit of one hundred dollars required to stay action for the period of sixty days shall be made to the collector of customs for the district wherein the port of arrival is located before such sailing, and in default thereof all further proceedings shall be discon-

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Fines: *On account diseased aliens—*

tinued and the facts certified to the Bureau of Immigration and Naturalization by first mail, together with the medical certificate and duplicate notice, in order that such action may be taken as the evidence requires.

Stay of action;

(*e*) If, after service of the notice as provided in paragraph (*b*) of this circular, the deposit of one hundred dollars has been made in conformity with the said notice, the commissioner of immigration or inspector in charge shall suspend further proceedings until the submission of the evidence offered to show why the said fine should not be imposed, or until the lapse of the specified period of sixty days thereafter. When the said evidence has been submitted it shall be forwarded, together with the certificate of the examining surgeon and duplicate notice, to the Commissioner-General of Immigration, for presentation to the Secretary of Commerce and Labor, by the said commissioner or inspector in charge, who shall at the same time present his written views as to whether the said fine should be imposed. If no evidence is submitted prior to the expiration of the said sixty days, then said commissioner or inspector in charge shall report the case, without such evidence, for action by the Secretary of Commerce and Labor.

Final proceedings.

(*f*) Upon receipt of the decision of the Secretary of Commerce and Labor, a copy thereof shall be forwarded to the collector of customs, together with such data as may enable him to identify the special deposit made in that particular case. If the said decision imposes the fine, the one hundred dollars deposited as security shall be accounted for by the said collector in the usual manner as a fine; if the decision holds that the penalty has not been incurred, the collector of customs shall return to the depositor the amount deposited as security.

Fines— *For nonmanifesting—*

RULE 29. *Fine, failure to deliver manifests.*—If the master or commanding officer of any vessel bringing aliens to a United States port fails to deliver to the immigration officers at such port lists or manifests, as required by sections 12, 13, and 14, and it therefore becomes necessary to collect the fine imposed by section 15, the following instructions shall be observed:

Notice and procedure as to incoming passengers;

(*a*) Written notice, clearly setting forth the particulars in which the lists or manifests are deficient, shall be served upon the steamship company concerned, allowing such company the period of sixty days from date of notice within which to place before the Department, through the local immigration officials, such evidence, if any, as said company may possess to show cause why the statutory penalty should not be collected. Copies of such notices and the responses thereto shall be kept of record, and shall be forwarded to the Department in the event the collection of the penalty is protested; and in no protested case shall suit be instituted to enforce collection until the Department has rendered a decision directing that collection be made.

Procedure for protesting collection;

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Fines—
For nonmanifesting—

(*b*) Similar notice shall be given by collectors of customs as a preliminary to collecting fines for failure to promptly furnish manifests of outward-bound alien passengers. (See Rule XXIX, statistical regulations.)

Notice as to outgoing passengers;

(*c*) Under an opinion of the Attorney-General, the fine mentioned in this rule can not be remitted. (25 Op. At. Gen., 336.)

Can not be remitted;

(*d*) In no case covered by this rule shall the aggregate amount of fines collected in any one instance of departure of a vessel exceed one hundred dollars.

Aggregate not to exceed $100, in cases departure;

(*e*) The detailed statistical information required under section 12 of the Immigration Act and section 1 of the naturalization act of June 29, 1906, shall not hereafter be required to be furnished in the cases of diplomatic and consular officers, and other officials duly accredited by their governments, together with their suites, families, and guests, coming to the United States or in transit. The names of all such diplomatic and consular representatives and their suites, families, and guests, with their respective titles, should, however, appear grouped together upon the manifest.

Exemption on account diplomatic and consular officers;

(*f*) As an additional precaution, all aliens examined at ports of entry, concerning whom complete information is not furnished in the manifests, should be questioned as to whether demand was made upon them by the representatives of the steamship company at the port of foreign embarkation for the items of information that are lacking; and in case such answer is in the negative, the affidavit of the alien shall be taken and filed for future reference if required.

Questioning aliens concerning items lacking in manifests.

(*g*) The certificate (unverified) of a responsible surgeon located at the point of embarkation or at the last port of call, prepared in the form appearing upon the reverse side of the manifest (Form 1500), shall be accepted as a sufficient compliance with section 14 requiring that when no surgeon sails with a vessel bringing aliens to the United States, the mental and physical examination of such aliens shall be made by "some competent surgeon employed by the owners of the said vessel."

Certificate of surgeon, regarding aliens aboard vessel:

What acceptable.

(*h*) There will be furnished to the steamship company by the Bureau of Immigration and Naturalization blank books suitable for use in the preparation of alphabetical indexes of manifests.

Manifests:

Alphabetical indexes of.

RULE 30. *Fines, reporting of.*—The following method will be observed in reporting fines incurred under the immigration laws:

Fines:

Method of reporting when U. S. attorney requested to prosecute.

(*a*) Commissioners of immigration or inspectors in charge will, in all cases wherein a United States attorney is requested to institute proceedings for the recovery of prescribed penalties or to undertake criminal prosecution of an alleged offender against the immigration laws, make a report at the same time to the collector of customs for the district in which the offense was alleged to have been committed. Said report shall be rendered in every case

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Fines: Method of reporting when U. S. attorney requested to prosecute.

which may arise, irrespective of the possible outcome of any legal proceedings, and shall embrace the following: (1) Date when offense was committed; (2) act, and section thereof, violated; (3) nature of offense; (4) name of offender; (5) nationality, kind, and name of vessel; (6) statutory amount of fine; (7) date of reporting case given to each violation.

(*b*) Upon receipt of the above reports, the collector of customs will give each case a number in chronological order. When more than one section of a statute is violated by the same vessel, a separate case number will be given to each violation.

(*c*) At the close of each month, collectors of customs will render reports in the same manner as in the case of navigation and steamboat-inspection fines, viz: All fines incurred during the month must be reported on Form Cat. No. 1078, showing, under the heading "Remarks," the date when the case was reported to the United States attorney.

(*d*) All fines disposed of during the month must be reported on Form Cat. No. 1032. In connection with this form, the account current (Form Cat. No. 1030) must be used.

(*e*) At the close of June and December in each year, semiannual reports, on Form Cat. No. 1079, must be rendered, showing all unsettled cases on hand and explaining the cause of delay in disposing of them.

RULES RELATING TO DEPORTATION.

Deportation, aliens subject to:

RULE 31. *Deportation, aliens subject to.*—Aliens of the following classes are subject to arrest, upon the warrant of the Secretary of Commerce and Labor, and to deportation to the country whence they came, at any time within three years after landing or entry:

Members excluded classes;

(*a*) Aliens who, at the time of entry, belonged to any of the classes of persons enumerated and defined in section 2 of the Immigration Act or in the Executive order of March 14, 1907, and who should, therefore, have been then excluded. (Secs. 20, 21.)

Public charges;

(*b*) Aliens who become public charges from causes existing prior to landing. (Sec. 20.)

Prostitutes;

(*c*) Alien women or girls who are found to be inmates of a house of prostitution or practicing prostitution. (Sec. 3.)

Those entering surreptitiously.

(*d*) Aliens who are found to have entered the United States at any other place than at the seaports thereof or at one of the ports or places designated in Rules 24 and 26 hereof, and aliens found to have entered at a seaport, but at any time or place other than as designated by the immigration officers. (Secs. 18, 36.)

Public charges from prior causes: Reporting cases of;

RULE 32. *Public charges from prior causes.*—The case of every alien found to have become a public charge from causes existing prior to landing should be reported to the

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immigration officer stationed nearest the place where the alien is confined. This report *must be accompanied by*— Public charges from prior causes:

(1) An unequivocal certificate (Form 534) of the *principal medical officer* of the institution of which the alien is an inmate, setting forth: Medical certificate of;

(*a*) That the alien is a public charge, and giving: Date of admission to the institution; date and port of foreign embarkation; ship and line by which arrived; date and port of American debarkation; correct name; name under which manifested; age; nationality; and citizenship. Data for verifying landing of;

(*b*) An accurate statement in plain terms of the mental or physical disability of the alien, covering any and all complications which his condition may present; also his present condition with reference to the degree of helplessness to which reduced; the probability of a cure, or the degree to which health and ability to become self-supporting may be restored; and in insanity cases, whether recurrent attacks might be expected if recovery from present onset were effected. Exact condition to be shown;

(*c*) A full and complete recital of the causes to which are attributed the alien's condition as a public charge. Statement of causes required;

(*d*) Whether such causes are considered to have existed prior to or to have arisen subsequent to landing; and if believed to have existed prior to landing, stating specifically the reasons upon which belief in prior cause is based, or, in other words, the features of the case which justify such a conclusion. Origin of causes.

(2) A *complete copy* of the clinical or general history of the case as shown by the hospital records, and including the statements of relatives and friends. Copy of history required.

(3) In the cases of insane patients, a copy of the commitment papers containing the grounds alleged by the examining physicians as the basis for commitment. Commitment papers;

(4) Before applying for a warrant in accordance with Rule 34, the immigration officer to whom the foregoing report is made shall, whenever practicable, cause the alien to be examined by an officer of the Public Health and Marine-Hospital Service, whose certificate should accompany the application for a warrant. Further certificate required if possible;

RULE 33. *Public charges, medical certificate.*—In the event that the examining medical officer is able definitely to certify that an alien was, at the time of landing in the United States, afflicted with insanity, idiocy, imbecility, feeble-mindedness, epilepsy, tuberculosis, or a loathsome or dangerous contagious disease, such a certificate will be regarded as prima facie evidence of entry in violation of section 2 of the Immigration Act, and, in the absence of satisfactory evidence to the contrary, the alien will be deported in accordance with the provisions of sections 20 and 21. Public charges: Medical certificate concerning.

RULE 34. *Deportation, application for warrant.*—Every immigration officer receiving a report in conformity with Rule 32, accompanied by a medical certificate that com- Deportation: Application for warrant of.

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plies with either Rule 32 or Rule 33, shall communicate with the officer in charge at the port of entry and, if landing is verified from the official records, shall make application for warrant in the manner provided by Rule 35. Such aliens will not be removed from the institutions in which they are confined until after due hearing and after an order of deportation is issued, or unless special instructions for removal are incorporated in the warrant.

Deportation, procedure:

RULE 35. *Deportation, procedure.*—In enforcing sections 20 and 21 of the act approved February 20, 1907, the following instructions regarding applications for warrants of arrest and deportation will be observed:

Application for arrest warrant;

(*a*) All applications for warrants must be made, if possible, upon blank form No. 565, which will be furnished upon written request to the Commissioner-General of Immigration, Department of Commerce and Labor, and which must be filled out in accordance with the printed lines contained therein, and be accompanied by the certificate of landing or entry (Form No. 564) hereinafter prescribed, or if not so accompanied the reasons for the absence of such certificate must be given, and in that case all the facts called for in the blank form of said certificate shall be set forth in the application, so far as the facts are ascertainable.

Affidavits to accompany;

(*b*) A full statement must be made in every such application of the facts, supported if practicable by affidavits, which show the presence in the United States of the alien whose arrest and deportation is sought to be in violation of law.

Verification of landing;

(*c*) The certificate of landing in or entry into the United States must contain a complete statement in detail of all the facts disclosed as to any such alien by the manifest or list containing his name, with an attached certificate by the officer in charge of such manifest that the information given agrees in all particulars with the record of such alien in said list or manifest.

Telegraphic application for arrest warrant;

(*d*) Telegraphic application for warrants should be avoided so far as possible, but, if the circumstances of any particular case make it absolutely necessary to resort to request by wire, such request must state that the foregoing regulations have been complied with, and that the form of application and certificate hereinbefore mentioned have been forwarded to the Department, and must give the substance of the statement of facts contained in the said application and certificate. In order to obviate any possible legal difficulty in the service of the telegraphic warrant, the Department will confirm the telegram by sending in the next outgoing mail a formal written warrant. The statement of facts, contained in the telegraphic application, therefore, must be sufficiently complete and specific to form the basis of the formal warrant.

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Deportation, procedure: Issuance of arrest warrant;

(*e*) If, thereafter, it appear to the Secretary that the alien concerned is in the United States unlawfully, and that the time within which he may be deported has not expired, a warrant for his arrest shall issue directing that he be taken before the person or persons therein described and there be given a hearing, at which he shall have full opportunity to show cause, if any there be, why he should not be deported.

Hearing under arrest warrant;

During the course of the hearing the alien shall be allowed to inspect the warrant of arrest and all the evidence on which it was issued; and, at such stage thereof as the person before whom the hearing is held shall deem proper, the alien shall be apprised that he may thereafter be represented by counsel, and shall be required then and there to state whether he desires counsel or waives the same, and his reply shall be entered on the record. If counsel be selected he shall be permitted to be present during the further conduct of the hearing, and be permitted to inspect and make a copy of the minutes of the hearing so far as it has proceeded, and to offer evidence to meet any evidence theretofore or thereafter presented by the Government. At the close of the hearing all of the papers, including the minutes, and any written argument submitted by counsel for the alien, shall be forwarded to the Department as the record on which to determine whether or not a warrant for deportation shall issue.

Rights of counsel;

Interpreter to be secured;

If the alien is unable to speak or understand English, an interpreter shall, where practicable, be employed. If it be necessary to employ as such some one outside the Service, authority for payment of a reasonable compensation will, upon request, be granted. If the alien be physically or mentally incapable of testifying, his relatives, friends, or acquaintances, if any, shall be questioned.

Medical certificate;

(*f*) The record of the hearing accorded an alien who is insane or has become a public charge shall be supplemented by a *written* certificate of the medical officer in charge of the institution in which the alien is confined, showing whether such alien is in condition to be deported without danger to life.

Release under bond;

(*g*) Pending decision upon the case the arrested alien shall be released from custody, provided there is furnished, as required by the proviso to section 20, a satisfactory bond running to the United States and conditioned for the production of the alien to the immigration officers for hearing or hearings and for deportation in the event of the issuance of a departmental warrant of deportation. The sureties on such bond shall be parties of ascertained financial responsibility; and in preparing the bond a blank form supplied by the Bureau of Immigration and Naturalization will be used. No alien so arrested shall be released, however, until the authority of the Department to accept bond in a specified sum is received, nor until the sureties on the bond have been found to be reliable. Before releasing the alien either one of two

Sureties on bond;

Approval of bond;

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Deportation, procedure: methods shall be observed (as may be deemed best calculated to secure an expeditious handling of the case) to have the bond approved as to form and execution: First, the bond to be forwarded to the Bureau at Washington for review by the solicitor of the Department; or, second, the bond to be submitted to the local United States attorney for such purpose. In any event the alien shall be promptly released on receipt of advice that the bond has been approved as to form and execution, and the bond shall be forwarded to the Bureau for formal acceptance by the Secretary.

Issuance of deportation warrant; (*h*) If, after the receipt of the report of such hearing, it shall appear to the satisfaction of the Secretary, from all the evidence, that such alien is in the United States in violation of law and that the time within which he can be deported has not expired, a warrant will be issued for his deportation.

Care to be exercised in conducting investigation; (*i*) Officers are directed to make thorough investigation of all cases where they are credibly informed, or have reason to believe, that a specified alien is in the United States in violation of law. It is not permissible for officers to resort to any form of intimidation, by threats, violence, or otherwise, in order to extort from any suspected alien or from any other person the information to be embodied in the application for the warrant of arrest. Officers are specially cautioned not to lend their aid in causing the arrest of aliens upon charges arising out of personal spite or enmity, unless the truth of such charges is clearly established.

Notice to steamship company; (*j*) In every case in which a warrant of deportation is issued under sections 20 and 21, the immigration official in charge at the port from which deportation is to be made shall notify the steamship line, on a vessel of which the alien is to be placed, of the intended deportation as promptly as possible after receipt of the departmental warrant and of advices from the officer under whose supervision the arrest and hearing in the case have been effected. And in all such cases care shall be exercised by all immigration officials concerned to furnish the steamship officials with full and exact information concerning the name, destination, condition of health, etc., of the alien to be deported.

Attendant to seaport. (*k*) If the conditions are such that an attendant (or matron) will be required to assist in conveying an alien from an inland point to the seaport of deportation, special request for authorization therefor should accompany the record of hearing under a warrant of arrest. Such attendants will be allowed a nominal compensation of *one dollar* and traveling expenses both ways. This rate must not be exceeded in any instance without special authorization, based upon extraordinary conditions, to be fully set forth for the guidance of the Department.

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Arrest and deportation:

Expense of maintenance during proceedings, how borne;

RULE 36. *Deportation, cost of maintenance.*—The cost of maintaining aliens during the pendency of warrant proceedings under the preceding rule is a proper charge against the appropriation "Expenses of regulating immigration;" but in the cases of aliens who have become public charges from causes existing prior to landing in the United States, such cost shall not be allowed for any period preceding the date of original notification to an officer of the Immigration Service, and even then only in the event that the Department upon investigation, orders the deportation of the alien. If proceedings against a procurer or contractor are instituted in accordance with section 3, 5, or 20 of the Immigration Act, immigration officers should report to the United States district attorney the amount of the cost of deporting the alien, including one-half of the entire cost of removal to the port of deportation, so that a proper effort may be made to recover such expense from the procurer or importer and the reimbursement of the Government and the transportation company for their respective parts thereof.

Method of obtaining reimbursement when importers are prosecuted.

Deportation:

Procedure in cases of insane or diseased aliens;

Aliens requiring special care and attention—

RULE 37.[a] *Deportation, procedure in cases of insane or diseased aliens requiring special care and attention.*—(*a*) When deportation is to be effected, under sections 20 and 21, and the alien is disabled or mentally or physically diseased, the immigration officer charged with the investigation of the case shall obtain from the physician (if practicable a surgeon of the Public Health and Marine-Hospital Service) having personal knowledge of the condition of the alien's health a statement showing such condition in terms that will enable the Department to determine whether the alien, if deported, will require special care and attention, which statement shall accompany the report of the hearing of the case forwarded to the Department.

Procedure in cases of—

(*b*) If, upon considering the report of the hearing, the Department decides that the alien is deportable and issues a warrant of deportation, the physician's statement described in paragraph (*a*) hereof, taken in conjunction with such further evidence of physical or mental condition as is brought out by the hearing, will be made the basis for determining whether direction shall be given that the steamship line by which deportation is to be effected shall be called upon to submit to the Department returns covering the ocean voyage and delivery of the alien to the transoceanic port, and foreign land trip and delivery of alien at final destination, in accordance with paragraph (*c*) hereof.

Returns by vessels concerning;

Delivery of forms of returns;

(*c*) If the Department indicates in issuing its warrant of deportation that, in its opinion, the mental or physical condition of the alien is such as to require particular care

[a] For special regulations regarding arrest and deportation of prostitutes and procurers, and anarchists and criminals, see Department Circulars Nos. 156 and 163, respectively.

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Deportation: and attention during the ocean voyage and foreign land trip, the commissioner or inspector in charge shall, when delivering the alien to the master or first or second officer of the steamship by which the return of the alien is to be made, place in the hands of such officer a statement of particulars (Form No. 597) and blank receipt and blank returns attached thereto lettered, respectively, "A," "B," "C," and "D"), the receipt ("B") to be immediately signed by such steamship officer and returned to the officer delivering the alien, and the blank returns ("C" and "D") to be filled out in due course by appropriate officials of the steamship line and mailed to the commissioner or inspector in charge at the port of deportation, in accordance with instructions given in the statement of particulars.

Preparation of returns; (*d*) In preparing the statement of particulars, care will be exercised to furnish exact and full information of the character indicated by the language and blank spaces of the form. The number of the departmental warrant in cases of *deportation*, and the file number of the correspondence in cases of *return*, shall be inserted by the immigration employee charged with the duty of filling out the blanks in the appropriate space at the top of each sheet ("A," "B," "C," and "D") of the blank. Sheets "A" and "B" will be completely filled out (except signature) by such immigration employee; and sheets "C" and "D" will be left blank, except for the careful insertion of the number, it being intended that the steamship officials shall fill out such sheets. Both the original and the carbon copy of sheets "B," "C," and "D" will be delivered to the master or first or second officer of the vessel in whose charge the alien is placed; but of sheet "A" only the original will be so delivered, the carbon copy being retained in the records of the immigration station.

Mailing of returns; (*e*) The commissioner of immigration or inspector in charge by whom the statements of particulars are delivered to steamship masters shall see that in due course the returns, properly and completely filled out, are mailed to him. Any failure on the part of steamship companies so to do, as well as any circumstance, or anything contained in the returns, indicating failure upon the part of the officials of a vessel to accord proper care and attention to a deported alien and to deliver him into proper custody at his final destination, shall be reported to the Department fully and in detail.

To be to transoceanic port; RULE 38. *Deportation, where to.*—The deportation of aliens as prescribed in Rules 30 to 36 hereof shall be to the foreign trans-Atlantic or trans-Pacific port from which such aliens embarked for the United States; or, if such embarkation was for foreign contiguous territory, to the foreign port at which they embarked for such contiguous territory. (Sec. 35.)

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Deportation: Of public charges from subsequently arising causes;

RULE 39. *Deportation by consent.*—Any alien who has been lawfully landed, but who has become a public charge from subsequently arising physical inability to earn a living, may, by consent of the alien and with the approval of the Bureau of Immigration and Naturalization, be deported within one year from date of landing at the expense of the immigrant fund: *Provided*, That such alien is delivered to the immigration officers at a designated port free of charge; and the charges incurred for the care and treatment of any such alien in any public or charitable institution from the date of notification to an officer of the Bureau until the expiration of one year after landing may be paid from the immigrant fund at fixed rates agreed upon.

Expense, how borne.

RULES RELATING TO TRANSIT.

Transits: To be examined;

RULE 40. *Aliens in transit.*—Every alien seeking a landing for the purpose of proceeding directly through the United States to a foreign country shall be examined, and, if found to be a member of any one of the excluded classes, shall be refused permission to land, in the same manner as though he intended to remain in the United States. Cases where a refusal of the privilege would entail exceptional hardship may be reported to the Secretary for a special ruling.

Cases exceptional hardship to be reported.

Head tax must be deposited on account of;

RULE 41. *Aliens in transit, head tax for.*—(*a*) No alien desiring admission at a port of the United States for the professed purpose of proceeding directly therefrom to foreign territory shall be permitted to land thereat except after deposit with the collector of customs at said port, by the master or owner of the vessel or by a representative of any other mode of transportation by which such alien is brought, of the amount of the head tax (four dollars) prescribed by section 1 of the Immigration Act, said amount to be refunded upon proof satisfactory to the immigration officer in charge at the port of arrival that said alien has passed by direct and continuous journey through and out of the United States within thirty days from the date of admission, proof of such departure to be furnished within sixty days from the date of admission. Special deposits of head tax on account of aliens in transit will, at the expiration of sixty days from the date of admission, be covered into the Treasury as head tax, the cases in which proof of departure is received after the expiration of such period to be reported to the Bureau of Immigration and Naturalization for special authorization, under the provision incorporated in the legislative, executive, and judicial appropriation act approved February 3, 1905.

Head tax to be refunded on proof of departure;

Head tax to be covered into Treasury at expiration of 60 days;

How then refundable;

(*b*) All aliens of the taxable class desiring to proceed in transit through the United States from the Dominion of Canada shall be required to furnish to the examining officer or officers guaranty of payment of head tax de-

Head tax on, special system of collecting and refunding when from Canadian territory;

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Transits:

scribed in paragraph (*k*) of Rule 25 of these regulations. If admissible, aliens claiming to be in transit will be given certificate Form 523, providing for refund of head tax upon such certificate being properly indorsed by the alien and by the purser of the outgoing trans-Atlantic or trans-Pacific steamship upon which the holder of said certificate may depart from the United States; or, if the alien be passing in transit through the United States from one point in Canada to another point in Canada, then such indorsement to be made by the conductor of the train upon which the holder of the certificate departs from the United States.

Head tax on those arriving at Canadian seaports;

(*c*) Refund of head tax will be made on aliens of the taxable class, arriving at Atlantic or Pacific ports of Canada and desiring to proceed immediately in transit through the United States, to the transportation line responsible for payment of head tax on such aliens, upon proof satisfactory to the United States commissioner of immigration for Canada that said aliens have passed by direct and continuous journey through and out of the United States within the time limit specified in this rule.

Entering and leaving at same port — refund of head tax on account of;

(*d*) Even though an alien, being a "transit passenger," enters and leaves the United States at the same port the provisions of this rule shall be applied to his case to the same extent, and in the same manner so far as necessary, as though such alien entered at one port and departed through another. In the cases of those entering across the Canadian border as transient visitors, however, Form No. 569 will be used instead of Form No. 523, under the procedure laid down in paragraph (*b*) hereof.

Entering as tourists — different practice applying to;

(*e*) A class of "transit passengers" which requires somewhat different treatment in practice than "transits" as ordinarily understood and "transient visitors," whose cases are covered by the preceding paragraphs hereof, consists of aliens visiting the United States as tourists, on pleasure or business. With regard to such class, no payment or deposit of head tax need be required, if the immigration officers at the port of entry are satisfied that it is the *bona fide* intent of the passenger merely to visit or tour the United States. For instance, when an alien is in possession of first-class round trip or through transportation, or other circumstances are present, indicating with reasonable certainty that the passenger is a tourist, deposit should not be required; if doubt exists, he should be classed as a "transit" or "transient visitor."

MISCELLANEOUS RULES.

Cattlemen: Admission of;

RULE 42. *Cattlemen.*—It is ordered that all cattlemen returning to ports within the United States holding certificates duly signed by a commissioner of immigration or an immigrant inspector shall be entitled, upon identifi-

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Cattlemen:

cation, to admission into the United States without further examination by the immigration officers, to whom said certificate must be presented and surrendered, which certificate must be as follows:

FORM 567.

[Stub.]

No------
Port of----------
Date---------, 19---
Name----------
Age----------
Native of ----------
Employed by-------
Of----------
A cattleman sailing on the steamship--
Surrendered at the port of----------
----------, 19---
Height----------
Weight ----------
Color of hair-------
Color of eyes-------
General remarks----

Signature of cattleman:

Cattlemen's certificate of admission.

Form of certificate for.

DEPARTMENT OF COMMERCE AND LABOR,
IMMIGRATION SERVICE.

No------ PORT OF----------,
----------, 19---

This is to certify that---------a native of----------age----------, who is duly accredited an employee of---------- sailing on the steamship---------- ----------, 19---, is a cattleman from the port of----------United States of America.

The holder of this certificate will be permitted to enter the United States as a returning cattleman on presentation of this certificate and proper identification by the immigration inspector.

Height ----------
Weight ----------
Color of hair----------
Color of eyes----------
General remarks--------

Commissioner of Immigration.

NOTE.—This certificate must be furnished by the commissioner of immigration, or immigrant inspector, to the steamship company at the port of departure. The certificate will be filled in by the United States officer and delivered to the captain of the vessel upon which the cattleman sails, who in turn will deliver the paper to the person in whose name it is issued, at the foreign port of destination, to enable the cattleman to return. Any alteration or erasure of this certificate renders it void, and if it is presented by any person other than its rightful owner it will be taken up and the holder subjected to the inspection required by law.

Immigration officials:
Administration of oaths by.

RULE 43. *Administration of oaths.*—The authority to administer oaths conferred upon immigration officials by section 24 of the Immigration Act is limited to matters "touching the right of any alien to enter the United States." When, therefore, such officials are detailed to investigate frauds or attempts to defraud the Government, or any irregularity or misconduct of any officer or agent of the United States, section 183 of the Revised Statutes should be relied upon for authority to administer oaths to witnesses.

Posting laws:
Filing certificate of.

RULE 44. *Posting of immigration acts.*—The certificate required by section 8 of the act of Congress approved March 3, 1893, that copies of the immigration acts have been duly posted, shall be filed with the Secretary of Commerce and Labor upon the first days of January and July of each year.

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Official communications:
To be sent through official channels.

RULE 45. *Official communications.*—Officers employed in the administration of the immigration and Chinese-exclusion laws are notified that all communications to the Department upon official matters must be addressed to the Commissioner-General of Immigration or to the Secretary of Commerce and Labor through official channels.

Telegraphing:
Code for.

RULE 46. *Telegraphing.*—With the object of reducing the expense of telegraphing in connection with the official business of the Immigration Service, the telegraphic code provided by the Bureau of Immigration and Naturalization will be employed to the fullest extent possible.

Uniforms:
Officers required to wear;

RULE 47. *Uniforms.*—It is hereby ordered that inspection officers and employees of the Immigration Service stationed at ports or places of entry into the United States *and elsewhere* shall, while on duty, *unless otherwise specially directed in writing*, wear uniforms designated by the Bureau of Immigration and Naturalization, said uniforms to be purchased by the said inspectors and employees.

Particulars concerning—
Suits;

(*a*) UNIFORM SUITS: Uniform suits will be made of dark blue cloth. The following are the prescribed styles:

Suits for inspectors and assistant inspectors—Coats.—Double-breasted sack, four buttons on each side, ends cut square. Two lower outside pockets, one on upper left side and small ticket pocket on right side. All outside pockets to have flaps, except upper left-hand pocket. Two inside pockets. All pockets to be of liberal size.

Vests.—Single-breasted, six buttons, collar. Four pockets without flaps. Bone buttons.

Trousers.—Plain, with side pockets, two hip pockets, and watch pocket. No stripe. Band back and front on inside at bottom.

Suits for all other officials.—Same as above, except that coat shall be single-breasted instead of double-breasted.

Buttons;

(*b*) BUTTONS: The bone buttons upon suits will be of a special pattern designed to fit brass button shells (detachable) which must be affixed and worn in all cases while on duty. Button shells will be forwarded without cost upon application to the Bureau.

Caps;

(*c*) CAPS: Contract has been made for uniform caps, which must be paid for by the employees, the cost per cap being two dollars. If money order for this sum is forwarded to the Bureau, through official channels, full name and title of employee and size of cap wanted being stated the same will be ordered sent direct to purchaser, express charges collect. The winter cap is made of blue cloth and the summer cap of black silk. *Unless otherwise specified*, BLUE CLOTH cap will be furnished.

Cap insignia;

(*d*) CAP INSIGNIA: Caps will be provided with appropriate insignia and lettering without charge to employees, but orders must be placed through the Bureau in every instance.

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Uniforms: Particulars concerning—

(*e*) COLLAR INSIGNIA: Inspectors in charge of stations, or of the various divisions at the principal ports of entry, will be designated by an appropriate legend worn on both sides of the front of the coat collar. These legends will be worked in gold letters upon blue cloth, and may be obtained free of cost upon application to the Bureau. The cloth strips will be attached to the coat collars with hooks and eyes, so that they may readily be removed. Collar insignia;

(*f*) SERVICE INSIGNIA: Immigrant and Chinese inspectors one year in the service may be designated by a strip of gold braid upon the top of the cuff of the left coat sleeve 2 inches from the bottom of the sleeve and extending halfway around it. An additional strip may be added one-fourth inch higher than its predecessor for each year's completed service up to five years, when a small gold star may be worn in lieu of the braid, which should then be removed. For each year from five to nine, inclusive, a strip of gold braid may be added. Ten years' continuous service may be indicated by two stars, and so on. The equipments needed to comply with this requirement can be secured without charge upon application to the Bureau, the full name and exact service of the employee being stated. Insignia is issued to inspectors only. The length of service is reckoned from the date of original appointment as inspector, and must not include prior service in other capacities. In making request for insignia, give date of original appointment as inspector, or if at present wearing insignia, describe same and give date on which the last prior addition thereto was received from the Bureau. Service insignia;

(*g*) SEASONS: The time of changing from one weight of uniform to another will be governed by the change of seasons at the various stations of employees. Officers stationed in Hawaii and Porto Rico may wear white duck uniforms and caps, insignia for the latter to be procured free of cost upon application to the Bureau. Seasons;

(*h*) LIGHT-WEIGHT UNIFORMS: Officers and employees stationed at places where the climate is too warm to admit of comfort in wearing the regular summer uniform may have their uniforms made of light material suited to the locality, subject to the stipulation that the color and style shall conform to the requirements of paragraph (*a*) hereof. The special buttons required to fit brass shells may be procured from the Bureau. Light-weight uniforms;

(*i*) INSPECTIONS: Commissioners of immigration and inspectors in charge will make reports to the Bureau on the first days of January and July regarding the condition of each part of the uniform of every employee under their respective jurisdictions, each portion of every uniform being graded as excellent, good, fair, or bad, as the case may be. Form 596 will be used in making these Inspections;

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Uniforms: reports, and if any reports showing the condition to be "bad" is made, the steps that have been taken to correct this condition should be noted.

New appointees. (*j*) NEW APPOINTEES: Officers having charge of immigration stations, districts, or ports will require employees newly appointed and ordered to report to them for duty to provide themselves with standard uniforms within thirty days from the date of assignment to duty, and will see that the *full uniform* is worn by all employees, as herein provided.

Districts: Number; Official in charge; Headquarters; Extent. RULE 48. For convenience in enforcing both the immigration and the Chinese-exclusion laws, the territory within which immigration officials are located is divided into districts, under the jurisdiction of commissioners of immigration or inspectors in charge, numbered, defined, and with headquarters fixed, as follows:

Dist. No.	Title of officer.	Location of headquarters.	Extent of districts.
1	Commissioner of immigration.	Montreal, P. Q., Canada.	Canadian border and Canadian seaports.
2	Commissioner of immigration.	Boston, Mass.....	New England States, including port of Boston and subports of Portland and New Bedford.
3	Commissioner of immigration.	Ellis Island, New York Harbor.	New York and New Jersey; immigration matters *only*.
	Chinese inspector in charge.	17 State street, New York, N. Y.	New York and New Jersey; Chinese matters *only*.
4	Commissioner of immigration.	Philadelphia, Pa..	Pennsylvania, Delaware, and West Virginia; port of Philadelphia and substations of Pittsburg, Chester, and Wilmington.
5	Commissioner of immigration.	Baltimore, Md....	Maryland and District of Columbia; port of Baltimore and subports of Annapolis and Washington.
6	Inspector in charge..	Norfolk, Va.....	Virginia, North Carolina, and South Carolina; port of Norfolk and subports of Newport News, Wilmington, and Charleston.
7	Inspector in charge..	Tampa, Fla.....	Georgia, Florida, and Alabama; port of Tampa and subports of Savannah, Brunswick, Jacksonville, Miami, Key West, Pensacola, and Mobile.
8	Commissioner of immigration.	New Orleans, La..	Louisiana, Mississippi, Arkansas, and Tennessee; port of New Orleans and subports of Gulfport and Pascagoula.
9	Inspector in charge..	Galveston, Tex...	The port of Galveston and subports of Port Arthur and Corpus Christi, Tex. The territory bounded on the north and east by the Louisiana-Texas border and the Gulf of Mexico; on the west by the westerly boundaries of the following counties in Texas: Shelby, Nacogdoches, Angelina, Polk, San Jacinto, Montgomery, Harris, Fort Bend, Wharton, Jackson, Victoria, Refugio, San Patricio, and Nueces; and on the south by the southerly boundary of Nueces County, Tex.
10	Inspector in charge..	Cleveland, Ohio..	Ohio and Kentucky; substations at Toledo and Columbus.
11	Inspector in charge..	Chicago, Ill.....	Illinois, Indiana, Michigan, and Wisconsin.
12	Inspector in charge..	Minneapolis, Minn	Minnesota and North and South Dakota.
13	Inspector in charge..	St. Louis, Mo.....	Missouri, Iowa, Nebraska, Kansas, and Oklahoma.
14	Inspector in charge..	Denver, Colo.....	Colorado, Wyoming, and Utah; substation at Salt Lake City.

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Districts:

Dist. No.	Title of officer.	Location of headquarters.	Extent of districts.
15	Inspector in charge..	Helena, Mont	Montana and Idaho; substation at Havre, Mont.
16	Commissioner of immigration.	Seattle, Wash.....	Washington; port of Seattle and subports of Tacoma, Port Townsend, and Olympia; substations of Spokane and Walla Walla.
17	Inspector in charge..	Portland, Oreg....	Oregon; port of Portland and subport of Astoria.
18	Commissioner of immigration.	San Francisco, Cal	Northern California and Nevada; port of San Francisco.
19	Inspector in charge..	San Diego, Cal....	Southern California; port of San Diego and substations of Los Angeles and Yuma.
20	Inspector in charge..	Ketchikan, Alaska	Alaska; port of Ketchikan and substations of Skagway and Nome.
21	Commissioner of immigration.	San Juan, P. R....	Porto Rico; port of San Juan and subport of Ponce.
22	Inspector in charge..	Honolulu, Hawaii	Territory of Hawaii, including all ports.
23	Supervising inspector.	El Paso, Tex.....	Texas, except portion comprising district number 9; New Mexico, and Arizona; port of El Paso, subports of Nogales, Douglas, Naco, Del Rio, Eagle Pass, Laredo, Hidalgo, and Brownsville; substations of San Antonio, Tucson, and Fort Worth.

RULE 49. In furtherance of the requirement of section 13 of the immigration act, that the groups in which aliens are listed shall be "convenient," transportation companies are directed, so far as practicable, to assemble or group together all aliens coming from the same locality.

DAN'L J. KEEFE,
Commissioner-General of Immigration.

Approved February 15, 1910.

BENJ. S. CABLE,
Acting Secretary.

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APPENDIX.

LAWS NOT REPEALED OR REENACTED BY THE IMMIGRATION ACT OF FEBRUARY 20, 1907.

ACT OF AUGUST 3, 1882.

AN ACT to regulate immigration.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there shall be levied, collected, and paid a duty of fifty cents for each and every passenger not a citizen of the United States who shall come by steam or sail vessel from a foreign port to any port within the United States. The said duty shall be paid to the collector of customs of the port to which such passenger shall come, or if there be no collector at such port, then to the collector of customs nearest thereto, by the master, owner, agent, or consignee of every such vessel, within twenty-four hours after the entry thereof into such port. The money thus collected shall be paid into the United States Treasury and shall constitute a fund to be called the immigrant fund and shall be used, under the direction of the Secretary of Commerce and Labor, to defray the expense of regulating immigration under this act and for the care of immigrants arriving in the United States, for the relief of such as are in distress, and for the general purposes and expenses of carrying this act into effect. The duty imposed by this section shall be a lien upon the vessels which shall bring such passengers into the United States, and shall be a debt in favor of the United States against the owner or owners of such vessels, and the payment of such duty may be enforced by any legal or equitable remedy: *Provided*, That no greater sum shall be expended for the purposes hereinbefore mentioned, at any port, than shall have been collected at such port.[a]

Head tax:

Amount;

By whom and to whom paid, within 24 hours after arrival;

To constitute Immigrant fund;

How collection enforced.

* * * * *

Approved August 3, 1882 (22 Stat., 214).

[a] See section 1, act February 20, 1907, and Rules 1, 2, and 3.

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ACT OF FEBRUARY 26, 1885.

AN ACT to prohibit the importation and immigration of foreigners and aliens under contract or agreement to perform labor in the United States, its Territories, and the District of Columbia.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, * * *

Contract labor: Contracts for alien labor declared void.

SEC. 2. That all contracts or agreements, express or implied, parol or special, which may hereafter be made by and between any person, company, partnership, or corporation, and any foreigner or foreigners, alien or aliens, to perform labor or service or having reference to the performance of labor or service by any person in the United States, its Territories, or the District of Columbia, previous to the migration or importation of the person or persons whose labor or service is contracted for into the United States, shall be utterly void and of no effect.[a]

* * * * *

Approved February 26, 1885 (23 Stat., 332).

ACT OF MARCH 3, 1891.

AN ACT in amendment to the various acts relative to immigration and the importation of aliens under contract or agreement to perform labor.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, * * *

Superintendent of Immigration: Office created; Salary fixed.

SEC. 7. That the office of superintendent of immigration is hereby created and established, and the President, by and with the advice and consent of the Senate, is authorized and directed to appoint such officer, whose salary shall be four thousand dollars per annum, payable monthly. The superintendent of immigration shall be an officer in the Department of Commerce and Labor, under the control and supervision of the Secretary of Commerce and Labor, to whom he shall make annual reports in writing of the transactions of his office, together with such special reports, in writing, as the Secretary of Commerce and Labor shall require. The Secretary shall provide the superintendent with a suitably furnished office in the city of Washington, and with such books of record and facilities for the discharge of the duties of his office as may be necessary. He shall have a chief clerk at a salary of two thousand dollars per annum, and two first-class clerks.[b]

* * * * *

Approved March 3, 1891 (26 Stat., 1084).

[a] See sections 2, 4, 5, and 6, act February 20, 1907.

[b] See section 1, act March 2, 1895, and section 22, act February 20, 1907.

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ACT OF FEBRUARY 15, 1893.

AN ACT granting additional quarantine powers and imposing additional duties upon the Marine-Hospital Service.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, * * *

Quarantine: President given extraordinary power to suspend immigration.

SEC. 7. That whenever it shall be shown to the satisfaction of the President that by reason of the existence of cholera, or other infectious or contagious diseases, in a foreign country there is serious danger of the introduction of the same into the United States, and that notwithstanding the quarantine defense this danger is so increased by the introduction of persons or property from such country that a suspension of the right to introduce the same is demanded, in the interest of the public health, the President shall have power to prohibit, in whole or in part, the introduction of persons and property from such countries or places as he shall designate and for such period of time as he may deem necessary.

* * * * *

Approved February 15, 1893 (27 Stat., 449).

ACT OF MARCH 3, 1893.

AN ACT to facilitate the enforcement of the immigration and contract-labor laws of the United States.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, * * *

Certificates: Required of steamship companies re posting laws in foreign offices;

SEC. 8. That all steamship or transportation companies, and other owners of vessels, regularly engaged in transporting alien immigrants to the United States, shall twice a year file a certificate with the Secretary of Commerce and Labor that they have furnished to be kept conspicuously exposed to view in the office of each of their agents in foreign countries authorized to sell emigrant tickets, a copy of the law of March third, eighteen hundred and ninety-one, and of all subsequent laws of this country relative to immigration, printed in large letters, in the language of the country where the copy of the law is to be exposed to view, and that they have instructed their agents to call the attention thereto of persons contemplating emigration before selling tickets to them; and in case of the failure for sixty days of any such company or any such owners to file such a certificate, or in case they file a false certificate, they shall pay a fine of not exceeding five hundred dollars, to be recovered in the proper United States court, and said fine shall also be a lien upon any vessel of said company or owners found within the United States.[a]

Penalty for failure.

* * * * *

Approved March 3, 1893 (27 Stat., 569).

[a] See Rule 44 for time of filing.

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ACT OF AUGUST 18, 1894.

AN ACT making appropriations for sundry civil expenses of the Government for the fiscal year ending June thirtieth, eighteen hundred and ninety-five, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, * * *

Commissioners of immigration:
Appointed by President.

The commissioners of immigration at the several ports shall be appointed by the President, by and with the advice and consent of the Senate, to hold their offices for the term of four years, unless sooner removed, and until their successors are appointed; and nominations for such offices shall be made to the Senate by the President as soon as practicable after the passage of this act.[a]

Approved August 18, 1894 (28 Stat., 372).

ACT OF MARCH 2, 1895.

AN ACT making appropriations for the legislative, executive, and judicial expenses of the Government for the fiscal year ending June thirtieth, eighteen hundred and ninety-six, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, * * *

BUREAU OF IMMIGRATION.

Commissioner-General:
Title created;
Administration contract-labor laws placed under;

That the Superintendent of Immigration shall hereafter be designated as Commissioner-General of Immigration, and, in addition to his other duties, shall have charge, under the Secretary of Commerce and Labor, of the administration of the alien contract-labor laws, etc.[a]

Approved March 2, 1895 (28 Stat., 764).

ACT OF JUNE 6, 1900.

AN ACT making appropriations for sundry civil expenses of the Government for the fiscal year ending June thirtieth, nineteen hundred and one, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, * * * and hereafter the Commissioner-General of Immigration, in addition to his other duties, shall have charge of the administration of the Chinese-exclusion law and of the various acts regulating immigration into the United States, its Territories, and the District of Columbia, under the supervision and direction of the Secretary of Commerce and Labor.

Chinese-exclusion law placed under.

Approved June 6, 1900 (31 Stat., 611).

[a] See section 7, act March 3, 1891, and section 22, act February 20, 1907.

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ACT OF APRIL 29, 1902.

AN ACT to prohibit the coming into and to regulate the residence within the United States, its Territories, and all territory under its jurisdiction, and the District of Columbia, of Chinese and persons of Chinese descent.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, * * *

Fairs and expositions: Exceptions in favor of exhibitors at.

SEC. 3. That nothing in the provisions of this Act or any other Act shall be construed to prevent, hinder, or restrict any foreign exhibitor, representative, or citizen of any foreign nation, or the holder, who is a citizen of any foreign nation, of any concession or privilege from any fair or exposition authorized by Act of Congress from bringing into the United States, under contract, such mechanics, artisans, agents, or other employees, natives of their respective foreign countries, as they or any of them may deem necessary for the purpose of making preparation for installing or conducting their exhibits or of preparing for installing or conducting any business authorized or permitted under or by virtue of or pertaining to any concession or privilege which may have been or may be granted by any said fair or exposition in connection with such exposition, under such rules and regulations as the Secretary of Commerce and Labor may prescribe, both as to the admission and return of such person or persons.

* * * * *

Approved April 29, 1902 (32 Stat., part 1, p. 176).

ACT OF FEBRUARY 3, 1905.

AN ACT making appropriations for the legislative, executive, and judicial expenses of the Government for the fiscal year ending June thirtieth, nineteen hundred and six, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, * * *

BUREAU OF IMMIGRATION.

* * * * *

Head tax: Refund of, when erroneously collected.

Provided, That the Commissioner-General of Immigration, with the approval of the Secretary of Commerce and Labor, shall have power to refund head tax heretofore and hereafter collected under section one of the immigration Act approved March third, nineteen hundred and three, upon presentation of evidence showing conclusively that such collection was erroneously made.[a]

Approved February 3, 1905 (33 Stat., part 1, p. 631).

[a] See Rules 1 and 41.

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ACT OF FEBRUARY 6, 1905.

AN ACT to amend an Act approved July first, nineteen hundred and two, entitled "An Act temporarily to provide for the administration of the affairs of civil government in the Philippine Islands, and for other purposes," and to amend an Act approved March eighth, nineteen hundred and two, entitled "An Act temporarily to provide revenue for the Philippine Islands, and for other purposes," and to amend an Act approved March second, nineteen hundred and three, entitled "An Act to establish a standard of value and to provide for a coinage system in the Philippine Islands," and to provide for the more efficient administration of civil government in the Philippine Islands, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, * * *

Philippine Islands: Enforcement immigration laws therein; Collection head tax therein.

SEC. 6. That the immigration laws of the United States in force in the Philippine Islands shall be administered by the officers of the general government thereof designated by appropriate legislation of said government, and all moneys collected under said laws as duty or head tax on alien immigrants coming into said islands shall not be covered into the general fund of the Treasury of the United States, but shall be paid into the treasury of said islands to be used and expended for the government and benefit of said islands.

* * * * *

Approved February 6, 1905 (33 Stat., 689).

ACT OF MARCH 3, 1905.

AN ACT making appropriations for sundry civil expenses of the Government for the fiscal year ending June thirtieth, nineteen hundred and six, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, * * *

Subscriptions: To be paid in advance.

Provided, That the annual subscriptions for publications for use in the immigration service at large may be paid in advance.

Approved March 3, 1905 (33 Stat., part 1, p. 1156).

ACT OF JUNE 29, 1906.

AN ACT to establish a Bureau of Immigration and Naturalization, and to provide for a uniform rule for the naturalization of aliens throughout the United States.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the designation of the Bureau of Immigration in the Department of Commerce and Labor is hereby changed to the "Bureau of Immigration and Naturalization," which said Bureau, under the direction and control of the Secretary of Commerce and Labor, in addition to

Bureau of Immigration: Title changed to Bureau of Immigration and Naturalization.

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the duties now provided by law, shall have charge of all matters concerning the naturalization of aliens. That it shall be the duty of the said Bureau to provide, for use at the various immigration stations throughout the United States, books of record, wherein the commissioners of immigration shall cause a registry to be made in the case of each alien arriving in the United States from and after the passage of this Act of the name, age, occupation, personal description (including height, complexion, color of hair and eyes), the place of birth, the last residence, the intended place of residence in the United States, and the date of arrival of said alien, and, if entered through a port, the name of the vessel in which he comes. And it shall be the duty of said commissioners of immigration to cause to be granted to such alien a certificate of such registry, with the particulars thereof.[a]

* * * * *

Approved June 29, 1906 (34 Stat., part 1, p. 596).

ACT OF MARCH 2, 1907.

AN ACT in reference to the expatriation of citizens and their protection abroad.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of State shall be authorized, in his discretion, to issue passports to persons not citizens of the United States as follows: Where any person has made a declaration of intention to become such a citizen as provided by law and has resided in the United States for three years a passport may be issued to him entitling him to the protection of the Government in any foreign country: *Provided*, That such passport shall not be valid for more than six months and shall not be renewed, and that such passport shall not entitle the holder to the protection of this Government in the country of which he was a citizen prior to making such declaration of intention.

Passports:

When issued to persons not citizens;

Not valid in country of alien's former domicile.

SEC. 2. That any American citizen shall be deemed to have expatriated himself when he has been naturalized in any foreign state in conformity with its laws, or when he has taken an oath of allegiance to any foreign state.

When any naturalized citizen shall have resided for two years in the foreign state from which he came, or for five years in any other foreign state it shall be presumed that he has ceased to be an American citizen, and the place of his general abode shall be deemed his place of residence during said years: *Provided, however*, That such presumption may be overcome on the presentation of satisfactory evidence to a diplomatic or consular officer of the

Expatriation:

How effected;

How presumption overcome.

[a] For naturalization laws and regulations drawn thereunder, see pamphlet entitled "Naturalization Laws and Regulations."

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United States, under such rules and regulations as the Department of State may prescribe: *And provided also*, That no American citizen shall be allowed to expatriate himself when this country is at war.

Marriage:

How affects status of woman marrying foreigner;

SEC. 3. That any American woman who marries a foreigner shall take the nationality of her husband. At the termination of the marital relation she may resume her American citizenship, if abroad, by registering as an American citizen within one year with a consul of the United States, or by returning to reside in the United States, or, if residing in the United States at the termination of the marital relation, by continuing to reside therein.

Of foreign woman marrying American.

SEC. 4. That any foreign woman who acquires American citizenship by marriage to an American shall be assumed to retain the same after the termination of the marital relation if she continues to reside in the United States, unless she makes formal renunciation thereof before a court having jurisdiction to naturalize aliens, or if she resides abroad she may retain her citizenship by registering as such before a United States consul within one year after the termination of such marital relation.

Minor children:

Born outside United States, how citizenship resumed, and when takes effect.

SEC. 5. That a child born without the United States of alien parents shall be deemed a citizen of the United States by virtue of the naturalization of or resumption of American citizenship by the parent: *Provided*, That such naturalization or resumption takes place during the minority of such child: *And provided further*, That the citizenship of such minor child shall begin at the time such minor child begins to reside permanently in the United States.

Foreign born, citizens under sec. 1993, R. S.: Assumption of citizenship by.

SEC. 6. That all children born outside the limits of the United States who are citizens thereof in accordance with the provisions of section nineteen hundred and ninety-three of the Revised Statutes of the United States[a] and who continue to reside outside the United States shall, in order to receive the protection of this Government, be required upon reaching the age of eighteen years to record at an American consulate their intention to become residents and remain citizens of the United States and shall be further required to take the oath of allegiance to the United States upon attaining their majority.

Evidence:

To be filed with State Department.

SEC. 7. That duplicates of any evidence, registration, or other acts required by this Act shall be filed with the Department of State for record.

Approved March 2, 1907.

[a] Sec. 1993, Revised Statutes, reads as follows: "All children heretofore born or hereafter born out of the limits and jurisdiction of the United States, whose fathers were or may be at the time of their birth citizens thereof, are declared to be citizens of the United States; but the rights of citizenship shall not descend to children whose fathers never resided in the United States."

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DEPARTMENT OF COMMERCE AND LABOR

BUREAU OF IMMIGRATION AND NATURALIZATION

Immigration Laws

and

Regulations of July 1, 1907

Tenth Edition, July 12, 1910

Embodying Amendments to Rules 6, 20, 23, 26, 27, 29, 36, 37, 48; also new Rule 50

WASHINGTON
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IMMIGRATION LAWS AND REGULATIONS.

IMMIGRATION ACT OF FEBRUARY 20, 1907.

NOTE.—The Immigration Act of February 20, 1907, repeals the act of March 3, 1903, and all prior acts or parts of acts inconsistent with the new law. In the back of this pamphlet are published such portions of the prior acts as are not repealed by or reenacted in the act of February 20, 1907; also the act of March 2, 1907, regarding expatriation. If necessary to refer to the old acts, they may be found in the pamphlets "Immigration Laws and Regulations" heretofore issued, or in the United States Statutes at Large, as follows:

Note as to acts published herein.

List of immigration acts.

Act approved March 3, 1875: 18 Stat., part 3, page 477.
Act approved August 3, 1882: 22 Stat., page 214.
Act approved June 26, 1884 (sec. 22 only): 23 Stat., page 58.
Act approved February 26, 1885: 23 Stat., page 332.
Act approved February 23, 1887: 24 Stat., page 414.
Act approved October 19, 1888: 25 Stat., page 565.
Act approved March 3, 1891: 26 Stat., page 1084.
Act approved February 15, 1893 (sec. 7): 27 Stat., page 449.
Act approved March 3, 1893: 27 Stat., page 569.
Act approved August 18, 1894: 28 Stat., page 390.
Act approved March 2, 1895: 28 Stat., page 780.
Act approved June 6, 1900: 31 Stat., page 611.
Act approved April 29, 1902: 32 Stat., part 1, page 176.
Act approved March 3, 1903: 32 Stat., part 1, page 1213.
Act approved March 22, 1904: 33 Stat., part 1, page 144.
Act approved April 28, 1904: 33 Stat., part 1, page 591.
Act approved February 3, 1905: 33 Stat., part 1, page 684.

ACT OF FEBRUARY 20, 1907.

AN ACT to regulate the immigration of aliens into the United States.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there shall be levied, collected, and paid a tax of four dollars for every alien entering the United

Head tax:

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Head tax: To whom paid; By whom paid.

States.[a] The said tax shall be paid to the collector of customs of the port or customs district to which said alien shall come, or, if there be no collector at such port or district, then to the collector nearest thereto, by the master, agent, owner, or consignee of the vessel, transportation line, or other conveyance or vehicle bringing such alien to the United States. The money thus collected, together with all fines and rentals[b] collected under the laws regulating the immigration of aliens into the United States, shall be paid into the Treasury of the United States, and shall constitute a permanent appropriation to be called the "immigrant fund," to be used under the direction of the Secretary of Commerce and Labor to defray the expense of regulating the immigration of aliens into the United States under said laws, including the contract labor laws, the cost of reports of decisions of the Federal courts, and digest thereof, for the use of the Commissioner-General of Immigration, and the salaries and expenses of all officers, clerks, and employees appointed to enforce said laws. The tax imposed by this section shall be a lien upon the vessel, or other vehicle of carriage or transportation bringing such aliens to the United States, and shall be a debt in favor of the United States against the owner or owners of such vessel, or other vehicle, and the payment of such tax may be enforced by any legal or equitable remedy. That the said tax shall not be levied upon aliens who shall enter the United States after an uninterrupted residence of at least one year, immediately preceding such entrance, in the Dominion of Canada, Newfoundland, the Republic of Cuba, or the Republic of Mexico, nor upon otherwise admissible residents of any possession of the United States, nor upon aliens in transit through the United States, nor upon aliens who have been lawfully admitted to the United States and who later shall go in transit from one part of the United States to another through foreign contiguous territory:[c] *Provided*, That the Commissioner-General of Immigration, under the direction or with the approval of the Secretary of Commerce and Labor, by agreement with transportation lines, as provided in section thirty-two of this Act, may arrange in some other manner for the payment of the tax imposed by this section upon any or all aliens seeking admission from foreign contiguous territory:[d] *Provided further*, That if in any fiscal year the amount of money collected under the provisions of this section shall exceed two million five hundred thousand dollars, the excess above

Head tax, fines, and rentals, to constitute—

Immigrant fund: For what used.

Head tax: To be lien upon vessel; How payment enforced; Classes exempted from payment of;

Payment on account aliens from contiguous territory;

No more than $2,500,000 to go into Immigrant fund;

[a] For specific exceptions, see Rule 2.

[b] For method of depositing fines and rentals, see Rule 3; for procedure in collecting fines and reporting suits for collection, see Rules 28, 29, and 30.

[c] See paragraph (*g*), Rule 2.

[d] See Rules 2, 25, and 27.

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that amount shall not be added to the "immigrant fund:" *Provided further*, That the provisions of this section shall not apply to aliens arriving in Guam, Porto Rico, or Hawaii; but if any such alien, not having become a citizen of the United States, shall later arrive at any port or place of the United States on the North American Continent the provisions of this section shall apply:[a] *Provided further*, That whenever the President shall be satisfied that passports issued by any foreign government to its citizens to go to any country other than the United States or to any insular possession of the United States or to the Canal Zone are being used for the purpose of enabling the holders to come to the continental territory of the United States to the detriment of labor conditions therein, the President may refuse to permit such citizens of the country issuing such passports to enter the continental territory of the United States from such other country or from such insular possessions or from the Canal Zone.[b]

Head tax:

Exceptions—Guam, Porto Rico, and Hawaii.

Passports:

If limited and used to detriment labor conditions, holders to be rejected.

SEC. 2. That the following classes of aliens shall be excluded from admission into the United States: All idiots, imbeciles, feeble-minded persons, epileptics, insane persons, and persons who have been insane within five years previous; persons who have had two or more attacks of insanity at any time previously; paupers; persons likely to become a public charge;[c] professional beggars; persons afflicted with tuberculosis or with a loathsome or dangerous contagious disease;[d] persons not comprehended within any of the foregoing excluded classes who are found to be and are certified by the examining surgeon as being mentally or physically defective, such mental or physical defect being of a nature which may affect the ability of such alien to earn a living;[c] persons who have been convicted of or admit having committed a felony or other crime or misdemeanor involving moral turpitude; polygamists, or persons who admit their belief in the practice of polygamy, anarchists, or persons who believe in or advocate the overthrow by force or violence of the Government of the United States, or of all government, or of all forms of law, or the assassination of public officials; prostitutes, or women or girls coming into the United States for the purpose of prostitution or for any other immoral purpose; persons who procure or attempt to bring in pros-

Excluded classes:

Idiots, insane, etc.;

Paupers, persons likely to become a public charge;

Diseased;

Mentally or physically defective;

Criminals;

Polygamists;

Anarchists;

Prostitutes, etc.;

[a] See Rule 2.

[b] For President's proclamation and regulations drawn thereunder, see Rule 21.

[c] For provisions for landing under bond persons likely to become public charges and persons certified for physical defects, see Rule 20.

[d] For provision for placing in hospital, "with the express permission of the Secretary," persons afflicted with tuberculosis or with a loathsome or dangerous contagious disease, see Rule 10.

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Excluded classes:

titutes or women or girls for the purpose of prostitution or for any other immoral purpose; persons hereinafter

Contract laborers;

called contract laborers, who have been induced or solicited to migrate to this country by offers or promises of employment or in consequence of agreements, oral, written or printed, express or implied, to perform labor in this country of any kind, skilled or unskilled; those who have been, within one year from the date of application for admission to the United States, deported as having been induced or solicited to migrate as above described;

Assisted aliens;

any person whose ticket or passage is paid for with the money of another, or who is assisted by others to come, unless it is affirmatively and satisfactorily shown that such person does not belong to one of the foregoing excluded classes, and that said ticket or passage was not paid for by any corporation, association, society, municipality, or foreign government, either directly or indi-

Children under 16;

rectly; all children under sixteen years of age, unaccompanied by one or both of their parents, at the discretion of the Secretary of Commerce and Labor or under such regulations as he may from time to time prescribe:[a] *Pro-*

Exceptions—

vided, That nothing in this Act shall exclude, if otherwise admissible, persons convicted of an offense purely

Offenses political;

political, not involving moral turpitude: *Provided fur-*

Transits;

ther, That the provisions of this section relating to the payments for tickets or passage by any corporation, association, society, municipality, or foreign government shall not apply to the tickets or passage of aliens in immediate and continuous transit through the United States to for-

Skilled labor;

eign contiguous territory: *And provided further*, That skilled labor may be imported if labor of like kind unemployed can not be found in this country: *And provided*

Actors, artists, etc.

further, That the provisions of this law applicable to contract labor shall not be held to exclude professional actors, artists, lecturers, singers, ministers of any religious denomination, professors for colleges or seminaries, persons belonging to any recognized learned profession, or persons employed strictly as personal or domestic servants.

Prostitutes:

SEC. 3. That the importation into the United States of

Importation or holding penalized;

any alien woman or girl for the purpose of prostitution, or for any other immoral purpose, is hereby forbidden; and whoever shall, directly or indirectly, import, or attempt to import, into the United States, any alien woman or girl for the purpose of prostitution, or for any other immoral purpose, or whoever shall hold or attempt to hold any alien woman or girl for any such purpose in pursuance of such illegal importation, or whoever shall keep, maintain, control, support, or harbor in any house or other place, for the purpose of prostitution, or for any other immoral purpose, any alien woman or girl, within three years after she shall have entered the United States,

[a] For regulations, see Rule 5.

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shall, in every such case, be deemed guilty of a felony, and on conviction thereof be imprisoned not more than five years and pay a fine of not more than five thousand dollars; and any alien woman or girl who shall be found an inmate of a house of prostitution or practicing prostitution, at any time within three years after she shall have entered the United States, shall be deemed to be unlawfully within the United States and shall be deported as provided by sections twenty and twenty-one of this Act.[a]

Prostitutes:

Deportation of, within three years.

SEC. 4. That it shall be a misdemeanor for any person, company, partnership, or corporation, in any manner whatsoever, to prepay the transportation or in any way to assist or encourage the importation or migration of any contract laborer or contract laborers into the United States, unless such contract laborer or contract laborers are exempted under the terms of the last two provisos contained in section two of this Act.

Contract laborers:

Importation of, forbidden;

SEC. 5. That for every violation of any of the provisions of section four of this Act the person, partnership, company, or corporation violating the same, by knowingly assisting, encouraging, or soliciting the migration or importation of any contract laborer into the United States shall forfeit and pay for every such offense the sum of one thousand dollars, which may be sued for and recovered by the United States, or by any person who shall first bring his action therefor in his own name and for his own benefit, including any such alien thus promised labor or service of any kind as aforesaid, as debts of like amount are now recovered in the courts of the United States; and separate suits may be brought for each alien thus promised labor or service of any kind as aforesaid.[b] And it shall be the duty of the district attorney of the proper district to prosecute every such suit when brought by the United States.

Penalty for importing;

U. S. attorneys to prosecute suits;

SEC. 6. That it shall be unlawful and be deemed a violation of section four of this Act to assist or encourage the importation or migration of any alien by promise of employment through advertisements printed and published in any foreign country; and any alien coming to this country in consequence of such an advertisement shall be treated as coming under promise or agreement as contemplated in section two of this Act, and the penalties imposed by section five of this Act shall be applicable to such a case: *Provided*, That this section shall not apply to States or Territories, the District of Columbia, or places subject to the jurisdiction of the United States advertising the inducements they offer for immigration thereto, respectively.

Advertising for, forbidden;

Exception, in favor States and Territories.

SEC. 7. That no transportation company or owner or owners of vessels, or others engaged in transporting aliens into the United States, shall, directly or indirectly, either by writing, printing, or oral representation, solicit, invite,

Soliciting:

Forbidden on part transportation companies;

[a] See paragraph (*c*), Rule 31, and Rules 34–38.

[b] For method of reporting, see Rule 30.

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Soliciting: or encourage the immigration of any aliens into the United States, but this shall not be held to prevent transportation companies from issuing letters, circulars, or advertisements, stating the sailings of their vessels and terms and facilities of transportation therein; and for a violation of this provision, any such transportation company, and any such owner or owners of vessels, and all others engaged in transporting aliens into the United Penalty for. States, and the agents by them employed, shall be severally subjected to the penalties imposed by section five of this Act.

Unlawful landing: SEC. 8. That any person, including the master, agent, owner, or consignee of any vessel, who shall bring into Penalty for. or land in the United States, by vessel or otherwise, or who shall attempt, by himself or through another, to bring into or land in the United States, by vessel or otherwise, any alien not duly admitted by an immigrant inspector or not lawfully entitled to enter the United States shall be deemed guilty of a misdemeanor, and shall, on conviction, be punished by a fine not exceeding one thousand dollars, or by imprisonment for a term not exceeding two years, or by both such fine and imprisonment for each and every alien so landed or brought in or attempted to be landed or brought in.[a]

Fine $100: SEC. 9. That it shall be unlawful for any person, in-
For bringing diseased aliens; cluding any transportation company other than railway lines entering the United States from foreign contiguous territory, or the owner, master, agent, or consignee of any vessel to bring to the United States any alien subject to any of the following disabilities: Idiots, imbeciles, epileptics, or persons afflicted with tuberculosis or with a loathsome or dangerous contagious disease, and if it shall appear to the satisfaction of the Secretary of Commerce and Labor that any alien so brought to the United States was afflicted with any of the said diseases or disabilities at the time of foreign embarkation and that the existence of such disease or disability might have been detected by means of a competent medical examination at such time,

Method of collecting. such person or transportation company, or the master, agent, owner, or consignee of any such vessel shall pay to the collector of customs of the customs district in which the port of arrival is located the sum of one hundred dollars for each and every violation of the provisions of this section; and no vessel shall be granted clearance papers pending the determination of the question of the liability to the payment of such fine, and in the event such fine is imposed, while it remains unpaid, nor shall such fine be remitted or refunded: *Provided*, That clearance may be granted prior to the determination of such questions upon the deposit of a sum sufficient to cover such fine and costs, such sum to be named by the Secretary of Commerce and Labor.[b]

[a] For method of reporting, see Rule 30.
[b] For method of impcaing, see Rule 28.

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Appeals:
Not allowed aliens afflicted with tuberculosis or dangerous contagious diseases.

SEC. 10. That the decision of the board of special inquiry, hereinafter provided for, based upon the certificate of the examining medical officer, shall be final as to the rejection of aliens affected with tuberculosis or with a loathsome or dangerous contagious disease, or with any mental or physical disability which would bring such aliens within any of the classes excluded from admission to the United States under section two of this Act.[a]

Guardian en voyage:
Transportation companies to bear expense of.

SEC. 11. That upon the certificate of a medical officer of the United States Public Health and Marine Hospital Service to the effect that a rejected alien is helpless from sickness, mental or physical disability, or infancy, if such alien is accompanied by another alien whose protection or guardianship is required by such rejected alien, such accompanying alien may also be excluded, and the master, agent, owner, or consignee of the vessel in which such alien and accompanying alien are brought shall be required to return said alien and accompanying alien in the same manner as vessels are required to return other rejected aliens.[b]

Manifests:
Incoming passengers—

SEC. 12. That upon the arrival of any alien by water at any port within the United States,[c] it shall be the duty of the master or commanding officer of the steamer, sailing or other vessel having said alien on board to deliver to the immigration officers at the port of arrival lists or manifests made at the time and place of embarkation of such alien on board such steamer or vessel, which shall, in answer to questions at the top of said list, state as to each alien the full name, age, and sex; whether married or single; the calling or occupation; whether able to read or write; the nationality; the race; the last residence; the name and address of the nearest relative in the country from which the alien came; the seaport for landing in the United States; the final destination, if any, beyond the port of landing; whether having a ticket through to such final destination; whether the alien has paid his own passage or whether it has been paid by any other person or by any corporation, society, municipality, or government, and if so, by whom; whether in possession of fifty dollars, and if less, how much; whether going to join a relative or friend, and if so, what relative or friend, and his or her name and complete address; whether ever before in the United States, and if so, when and where; whether ever in prison or almshouse or an institution or hospital for the care and treatment of the insane or supported by charity; whether a polygamist; whether an anarchist; whether coming by reason of any offer, solicitation, promise, or agreement, express or implied, to perform labor in the United States,

What to contain;

[a] See Rules 6 and 20; also latter part of section 25.
[b] See Rule 12.
[c] For the procurement of manifests from Canadian transportation companies, see paragraph (e), Rule 25.

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Manifests: and what is the alien's condition of health, mental and physical, and whether deformed or crippled, and if so,

Outgoing passengers— for how long and from what cause; that it shall further be the duty of the master or commanding officer of every vessel taking alien passengers out of the United States, from any port thereof, to file before departure therefrom with the collector of customs of such port a complete list of all such alien passengers taken on board.

What to contain; Such list shall contain the name, age, sex, nationality, residence in the United States, occupation, and the time of last arrival of every such alien in the United States, and no master of any such vessel shall be granted clearance papers for his vessel until he has deposited such list or lists with the collector of customs at the port of departure and made oath that they are full and complete as to the name and other information herein required concerning each alien taken on board his vessel;[a] and any neglect or omission to comply with the requirements of this section shall be punishable as provided in section fifteen of this Act.[b]

Penalty;

With whom deposited; That the collector of customs with whom any such list has been deposited in accordance with the provisions of this section, shall promptly notify the Commissioner-General of Immigration that such list has been deposited with him as provided, and shall make such further disposition thereof as may be required by regulations to be issued by the Commissioner-General of Immigration with the approval of the Secretary of Commerce and Labor:[c] *Provided*, That in the case of vessels making regular trips to ports of the United States the Commissioner-General of Immigration, with the approval of the Secretary of Commerce and Labor, may, when expedient, arrange for the delivery of such lists of outgoing aliens at a later date:[c] *Provided further*, That it shall be the duty of the master or commanding officer of any vessel sailing from ports in the Philippine Islands, Guam, Porto Rico, or Hawaii to any port of the United States on the North American Continent to deliver to the immigration officers at the port of arrival lists or manifests made at the time and place of embarkation, giving the names of all aliens on board said vessel.[d]

Of aliens from the Philippines, Guam, Porto Rico, and Hawaii;

How made up; SEC. 13. That all aliens arriving by water at the ports of the United States shall be listed in convenient groups, and no one list or manifest shall contain more than thirty names. To each alien or head of a family shall be given a ticket on which shall be written his name, a number or letter designating the list in which his name, and so forth, is contained, and his number on said list, for convenience

[a] For the procurement of manifests from Canadian transportation companies, see paragraph (*e*), Rule 25.
[b] For method of imposing fine, see Rule 29.
[c] See Rule XXIX, statistical regulations.
[d] See paragraphs (*b*) and (*c*), Rule I, statistical regulations.

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of identification on arrival. Each list or manifest shall be verified by the signature and the oath of affirmation of the master or commanding officer, or the first or second below him in command, taken before an immigration officer at the port of arrival, to the effect that he has caused the surgeon of said vessel sailing therewith to make a physical and oral examination of each of said aliens, and that from the report of said surgeon and from his own investigation he believes that no one of said aliens is an idiot, or imbecile, or a feeble-minded person, or insane person, or a pauper, or is likely to become a public charge, or is afflicted with tuberculosis or with a loathsome or dangerous contagious disease, or is a person who has been convicted of, or who admits having committed a felony or other crime or misdemeanor involving moral turpitude, or is a polygamist or one admitting belief in the practice of polygamy, or an anarchist, or under promise or agreement, express or implied, to perform labor in the United States, or a prostitute, or a woman or girl coming to the United States for the purpose of prostitution, or for any other immoral purpose, and that also, according to the best of his knowledge and belief, the information in said lists or manifests concerning each of said aliens named therein is correct and true in every respect.

Manifests: To be signed and sworn to by master, as to correctness of contents;

SEC. 14. That the surgeon of said vessel sailing therewith shall also sign each of said lists or manifests and make oath or affirmation in like manner before an immigration officer at the port of arrival, stating his professional experience and qualifications as a physician and surgeon, and that he has made a personal examination of each of the said aliens named therein, and that the said list or manifest, according to the best of his knowledge and belief, is full, correct, and true in all particulars relative to the mental and physical condition of said aliens. If no surgeon sails with any vessel bringing aliens the mental and physical examinations and the verifications of the lists or manifests shall be made by some competent surgeon employed by the owners of the said vessel.[a]

To be signed and sworn to by surgeon;

SEC. 15. That in the case of the failure of the master or commanding officer of any vessel to deliver to the said immigration officers lists or manifests of all aliens on board thereof, as required in sections twelve, thirteen, and fourteen of this Act, he shall pay to the collector of customs at the port of arrival the sum of ten dollars for each alien concerning whom the above information is not contained in any list as aforesaid: *Provided*, That in the case of failure without good cause to deliver the list of passengers required by section twelve of this Act from the master or commanding officer of every vessel taking alien passengers out of the United States, the penalty shall be paid to the collector of customs at the port of departure

Incoming passengers—

Penalty of $10;

Outgoing passengers—

Penalty of $10;

[a] See paragraph (*g*), Rule 29.

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Manifests: Aggregate fines not to exceed $100.

and shall be a fine of ten dollars for each alien not included in said list; but in no case shall the aggregate fine exceed one hundred dollars.[a]

Inspection:

SEC. 16. That upon the receipt by the immigration officers at any port of arrival of the lists or manifests of incoming aliens provided for in sections twelve, thirteen, and fourteen of this Act, it shall be the duty of said officers to go or to send competent assistants to the vessel to which said lists or manifests refer, and there inspect all such aliens, or said immigration officers may order a temporary removal of such aliens for examination at a designated time and place, but such temporary removal shall not be considered a landing, nor shall it relieve the transportation lines, masters, agents, owners, or consignees of the vessel upon which said aliens are brought to any port of the United States from any of the obligations which, in case such aliens remain on board, would, under the provisions of this Act, bind the said transportation lines, masters, agents, owners, or consignees: *Provided*, That where a suitable building is used for the detention and examination of aliens the immigration officials shall there take charge of such aliens, and the transportation companies, masters, agents, owners, and consignees of the vessels bringing such aliens shall be relieved of the responsibility for their detention thereafter until the return of such aliens to their care.

On board vessel;

Landing for, not actual landing;

If placed in station, immigration officers responsible.

Medical examination:

SEC. 17. That the physical and mental examination of all arriving aliens shall be made by medical officers of the United States Public Health and Marine-Hospital Service, who shall have had at least two years' experience in the practice of their profession since receiving the degree of doctor of medicine and who shall certify for the information of the immigration officers and the boards of special inquiry hereinafter provided for, any and all physical and mental defects or diseases observed by said medical officers in any such alien,[b] or, should medical officers of the United States Public Health and Marine-Hospital Service be not available, civil surgeons of not less than four years' professional experience may be employed in such emergency for such service, upon such terms as may be prescribed by the Commissioner-General of Immigration under the direction or with the approval of the Secretary of Commerce and Labor. The United States Public Health and Marine-Hospital Service shall be reimbursed by the immigration service for all expenditures incurred in carrying out the medical inspection of aliens under regulations of the Secretary of Commerce and Labor.

To be made by P. H. and M. H. surgeons;

P. H. and M. H. Service to be reimbursed for surgeons' salaries.

Unlawful landing:

SEC. 18. That it shall be the duty of the owners, officers, or agents of any vessel or transportation line, other than

[a] For procedure, see Rule 29.
[b] See Rule 9.

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those railway lines which may enter into a contract as provided in section thirty-two of this Act, bringing an alien to the United States to prevent the landing of such alien in the United States at any time or place other than as designated by the immigration officers, and the negligent failure of any such owner, officer, or agent to comply with the foregoing requirements shall be deemed a misdemeanor and be punished by a fine in each case of not less than one hundred nor more than one thousand dollars or by imprisonment for a term not exceeding one year, or by both such fine and imprisonment;[a] and every such alien so landed shall be deemed to be unlawfully in the United States and shall be deported as provided in sections twenty and twenty-one of this Act.[b]

Unlawful landing:
Exception under sec. 32;
Penalty for;
Deportation of aliens so landed.

SEC. 19. That all aliens brought to this country in violation of law shall, if practicable, be immediately sent back to the country whence they respectively came on the vessels bringing them. The cost of their maintenance while on land, as well as the expense of the return of such aliens, shall be borne by the owner or owners of the vessels on which they respectively came; and if any master, person in charge, agent, owner, or consignee of any such vessel shall refuse to receive back on board thereof, or on board of any other vessel owned or operated by the same interests, such aliens, or shall fail to detain them thereon, or shall refuse or fail to return them to the foreign port from which they came, or to pay the cost of their maintenance while on land, or shall make any charge for the return of any such alien, or shall take any security from him for the payment of such charge, such master, person in charge, agent, owner, or consignee shall be deemed guilty of a misdemeanor and shall, on conviction, be punished by a fine of not less than three hundred dollars for each and every such offense; and no vessel shall have clearance from any port of the United States while any such fine is unpaid:[a] *Provided*, That the Commissioner-General of Immigration, with the approval of the Secretary of Commerce and Labor, may suspend, upon conditions to be prescribed by the Commissioner-General of Immigration, the deportation of any alien found to have come in violation of any provision of this Act, if, in his judgment, the testimony of such alien is necessary on behalf of the United States Government in the prosecution of offenders against any provision of this Act: *Provided*, That the cost of maintenance of any person so detained resulting from such suspension of deportation shall be paid from the "immigrant fund"[c] but no alien certified, as provided in section seventeen of this Act, to be suffering from tuberculosis or from a loathsome or dangerous contagious disease other than one of quaran-

Deportation:
By vessel bringing;
Cost of, and of detention, to be borne by steamship companies;
Penalty for failure to hold, deport, or maintain;
Penalty for taking security.
Witnesses:
Authority to hold;
Cost paid from immigrant fund.
Hospital treatment — by express permission of Secretary:
Of those suffering with tuberculosis or loathsome or dangerous disease.

[a] For method of reporting, see Rule 30.
[b] See paragraph (*d*), Rule 31, and Rules 34–38.
[c] See Rule 14.

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tinable nature shall be permitted to land for medical treatment thereof in any hospital in the United States, unless with the express permission of the Secretary of Commerce and Labor:[a] *Provided*, That upon the certificate of a medical officer of the United States Public Health and Marine-Hospital Service to the effect that the health or safety of an insane alien would be unduly imperiled by immediate deportation, such alien may, at the expense of the "immigrant fund," be held for treatment until such time as such alien may, in the opinion of such medical officer, be safely deported.[a]

Insane aliens: Holding for treatment, expense immigrant fund.

Deportation: Unlawful residents and public charges; How expense of, to be borne.

SEC. 20. That any alien who shall enter the United States in violation of law, and such as become public charges from causes existing prior to landing, shall, upon the warrant of the Secretary of Commerce and Labor, be taken into custody and deported to the country whence he came at any time within three years after the date of his entry into the United States. Such deportation, including one-half of the entire cost of removal to the port of deportation, shall be at the expense of the contractor, procurer, or other person by whom the alien was unlawfully induced to enter the United States, or, if that can not be done, then the cost of removal to the port of deportation shall be at the expense of the "immigrant fund" provided for in section one of this Act, and the deportation from such port shall be at the expense of the owner or owners of such vessel or transportation line by which such aliens respectively came:[b] *Provided*, That pending the final disposal of the case of any alien so taken into custody he may be released under a bond in the penalty of not less than five hundred dollars with security approved by the Secretary of Commerce and Labor, conditioned that such alien shall be produced when required for a hearing or hearings in regard to the charge upon which he has been taken into custody, and for deportation if he shall be found to be unlawfully within the United States.[c]

Bond: Releasing arrested aliens on.

Deportation: Of aliens subject thereto; Penalty against vessels for refusal to deport on warrant;

SEC. 21. That in case the Secretary of Commerce and Labor shall be satisfied that an alien has been found in the United States in violation of this Act, or that an alien is subject to deportation under the provisions of this Act or of any law of the United States, he shall cause such alien within the period of three years after landing or entry therein to be taken into custody and returned to the country whence he came, as provided by section twenty of this Act,[b] and a failure or refusal on the part of the masters, agents, owners, or consignees of vessels to comply with the order of the Secretary of Commerce and Labor to take on board, guard safely, and return to the country whence he came any alien ordered to be deported

[a] See Rule 10.
[b] See Rules 31–37.
[c] See paragraph (*g*), Rule 35.

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Deportation:

under the provisions of this Act shall be punished by the imposition of the penalties prescribed in section nineteen of this Act:[a] *Provided*, That when in the opinion of the Secretary of Commerce and Labor the mental or physical condition of such alien is such as to require personal care and attendance, he may employ a suitable person for that purpose, who shall accompany such alien to his or her final destination, and the expense incident to such service shall be defrayed in like manner.[b]

Attendants for deported persons.

Commissioner-General:

Duties of;

SEC. 22. That the Commissioner-General of Immigration, in addition to such other duties as may by law be assigned to him, shall, under the direction of the Secretary of Commerce and Labor, have charge of the administration of all laws relating to the immigration of aliens into the United States, and shall have the control, direction, and supervision of all officers, clerks, and employees appointed thereunder. He shall establish such rules and regulations, prescribe such forms of bond, reports, entries, and other papers, and shall issue from time to time such instructions, not inconsistent with law, as he shall deem best calculated for carrying out the provisions of this Act and for protecting the United States and aliens migrating thereto from fraud and loss, and shall have authority to enter into contract for the support and relief of such aliens as may fall into distress or need public aid; all under the direction or with the approval of the Secretary of Commerce and Labor. And it shall be the duty of the Commissioner-General of Immigration to detail officers of the immigration service from time to time as may be necessary, in his judgment, to secure information as to the number of aliens detained in the penal, reformatory, and charitable institutions (public and private) of the several States and Territories, the District of Columbia, and other territory of the United States and to inform the officers of such institutions of the provisions of law in relation to the deportation of aliens who have become public charges: *Provided*, That the Commissioner-General of Immigration may, with the approval of the Secretary of Commerce and Labor, whenever in his judgment such action may be necessary to accomplish the purposes of this Act, detail immigration officers, and also surgeons, in accordance with the provisions of section seventeen, for service in foreign countries.

To make contracts for relief of aliens;

To detail officers to investigate public charges;

To detail officers abroad.

Commissioners:

Duties of.

SEC. 23. That the duties of the commissioners of immigration shall be of an administrative character, to be prescribed in detail by regulations prepared, under the direction or with the approval of the Secretary of Commerce and Labor.

Employees:

Appointing and promoting.

SEC. 24. That immigrant inspectors and other immigration officers, clerks, and employees shall hereafter be appointed and their compensation fixed and raised or de-

[a] For method of reporting, see Rule 30.
[b] For procedure for providing attendant, see Rule 37.

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creased from time to time by the Secretary of Commerce and Labor, upon the recommendation of the Commissioner-General of Immigration and in accordance with the provisions of the civil-service Act of January sixteenth, eighteen hundred and eighty-three: *Provided*,

Contract labor laws: Special provision for enforcement of.

That said Secretary, in the enforcement of that portion of this Act which excludes contract laborers, may employ, without reference to the provisions of the said civil service Act, or to the various Acts relative to the compilation of the official register, such persons as he may deem advisable and from time to time fix, raise, or decrease their compensation. He may draw from the "immigrant fund" annually fifty thousand dollars or as much thereof as may be necessary, to be expended for the salaries and expenses of persons so employed and for expenses incident to such employment; and the accounting officers of the Treasury shall pass to the credit of the proper disbursing officer expenditures from said sum without itemized account whenever the Secretary of Commerce and Labor certifies that an itemized account would not be for the best interests of the Government: *Provided further*,

Commissioners: Appointing.

That nothing herein contained shall be construed to alter the mode of appointing commissioners of immigration at the several ports of the United States as provided by the sundry civil appropriation Act approved August eighteenth, eighteen hundred and ninety-four, or the official status of such commissioners heretofore appointed.

Immigration officers: Power and authority of; False swearing before, perjury;

Immigration officers shall have power to administer oaths and to take and consider evidence touching the right of any alien to enter the United States, and, where such action may be necessary, to make a written record of such evidence; and any person to whom such an oath has been administered under the provisions of this Act who shall knowingly or wilfully give false evidence or swear to any false statement in any way affecting or in relation to the right of any alien to admission to the United States shall be deemed guilty of perjury and be punished as provided by section fifty-three hundred and ninety-two, United States Revised Statutes. The decision of any such officer, if favorable to the admission of any alien, shall be subject to challenge by any other immigration officer, and such challenge shall operate to take the alien whose right to land is so challenged before a board of special inquiry for its investigation. Every alien who may not appear to the examining immigrant inspector at the port of arrival to be clearly and beyond a doubt entitled to land shall be detained for examination in relation thereto by a board of special inquiry.

Challenging decision of.

Boards of special inquiry: Detaining aliens for;

Appointing;

SEC. 25. That such boards of special inquiry shall be appointed by the commissioner of immigration at the various ports of arrival as may be necessary for the prompt determination of all cases of immigrants detained at such ports under the provisions of law.[a] Each

[a] See Rule 17 for form of oath of board member.

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board shall consist of three members, who shall be selected from such of the immigrant officials in the service as the Commissioner-General of Immigration, with the approval of the Secretary of Commerce and Labor, shall from time to time designate as qualified to serve on such boards: *Provided*, That at ports where there are fewer than three immigrant inspectors, the Secretary of Commerce and Labor, upon the recommendation of the Commissioner-General of Immigration, may designate other United States officials for service on such boards of special inquiry. Such boards shall have authority to determine whether an alien who has been duly held shall be allowed to land or shall be deported. All hearings before boards shall be separate and apart from the public, but the said boards shall keep a complete permanent record of their proceedings and of all such testimony as may be produced before them; and the decision of any two members of a board shall prevail, but either the alien or any dissenting member of the said board may appeal through the commissioner of immigration at the port of arrival and the Commissioner-General of Immigration to the Secretary of Commerce and Labor, and the taking of such appeal shall operate to stay any action in regard to the final disposal of any alien whose case is so appealed until the receipt by the commissioner of immigration at the port of arrival of such decision which shall be rendered solely upon the evidence adduced before the board of special inquiry: *Provided*, That in every case where an alien is excluded from admission into the United States, under any law or treaty now existing or hereafter made, the decision of the appropriate immigration officers, if adverse to the admission of such alien, shall be final, unless reversed on appeal to the Secretary of Commerce and Labor; but nothing in this section shall be construed to admit of any appeal in the case of an alien rejected as provided for in section ten of this Act.[a]

Boards of special inquiry:
Other officials for;
Authority of;
Hearings before, private.
Appeals:
Manner of taking;
Decision on, based solely upon original evidence;
Unless taken, decision of officers final;
Not allowed in cases rejected under section 10.

SEC. 26. That any alien liable to be excluded because likely to become a public charge or because of physical disability other than tuberculosis or a loathsome or dangerous contagious disease may, if otherwise admissible, nevertheless be admitted in the discretion of the Secretary of Commerce and Labor upon the giving of a suitable and proper bond or undertaking, approved by said Secretary in such amount and containing such conditions as he may prescribe, to the people of the United States, holding the United States or any State, Territory, county, municipality, or district thereof harmless against such alien becoming a public charge. The admission of such alien shall be a consideration for the giving of such bond or undertaking. Suit may be brought thereon in the name and by the proper law officers either of the United States Government or of any State, Territory, district,

Bonds:
Landing under;
In what cases permissible;
Bringing suits upon.

[a] See Rules 5–8.

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county, or municipality in which such alien becomes a public charge.[a]

Suits: Compromising, etc.;

SEC. 27. That no suit or proceeding for a violation of the provisions of this Act shall be settled, compromised, or discontinued without the consent of the court in which it is pending, entered of record, with the reasons therefor.

Under former acts not affected hereby.

SEC. 28. That nothing contained in this Act shall be construed to affect any prosecution, suit, action, or proceedings brought, or any act, thing, or matter, civil or criminal, done or existing at the time of the taking effect of this Act; but as to all such prosecutions, suits, actions, proceedings, acts, things, or matters the laws or parts of laws repealed or amended by this Act are hereby continued in force and effect.

Courts, circuit and district: Jurisdiction.

SEC. 29. That the circuit and district courts of the United States are hereby invested with full and concurrent jurisdiction of all causes, civil and criminal, arising under any of the provisions of this Act.

Exclusive privileges: How granted;

SEC. 30. That all exclusive privileges of exchanging money, transporting passengers or baggage, or keeping eating houses, and all other like privileges in connection with any United States immigrant station, shall be disposed of after public competition, subject to such conditions and limitations as the Commissioner-General of Immigration, under the direction or with the approval of the Secretary of Commerce and Labor, may prescribe: *Provided*, That no intoxicating liquors shall be sold in any such immigrant station; that all receipts accruing from the disposal of such exclusive privileges as herein provided shall be paid into the Treasury of the United States to the credit of the "immigrant fund" provided for in section one of this Act.

Proceeds from, to be paid into immigrant fund.

Peace officers: Admission to stations.

SEC. 31. That for the preservation of the peace and in order that arrests may be made for crimes under the laws of the States and Territories of the United States where the various immigrant stations are located, the officers in charge of such stations, as occasion may require, shall admit therein the proper State and municipal officers charged with the enforcement of such laws, and for the purpose of this section the jurisdiction of such officers and of the local courts shall extend over such stations.

Commissioner-General: To make rules and contracts for inspection on land boundaries.

SEC. 32. That the Commissioner-General of Immigration, under the direction or with the approval of the Secretary of Commerce and Labor, shall prescribe rules for the entry and inspection of aliens along the borders of Canada and Mexico, so as not to unnecessarily delay, impede, or annoy passengers in ordinary travel between the United States and said countries, and shall have power to enter into contracts with transportation lines for the said purpose.[b]

[a] See Rule 20 as to circumstances under which accepted.

[b] For arrangement on Canadian border, see Rule 25; on Mexican border, Rule 27.

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"United States:" Meaning of term.

SEC. 33. That for the purpose of this Act the term "United States" as used in the title as well as in the various sections of this Act shall be construed to mean the United States and any waters, territory, or other place subject to the jurisdiction thereof, except the Isthmian Canal Zone: *Provided*, That if any alien shall leave the canal zone and attempt to enter any other place under the jurisdiction of the United States, nothing contained in this Act shall be construed as permitting him to enter under any other conditions than those applicable to all aliens.

Canal Zone: Inspection of aliens from.

Commissioner: Appointment of, at New Orleans.

SEC. 34. That the Commissioner-General of Immigration, with the approval of the Secretary of Commerce and Labor, may appoint a commissioner of immigration to discharge at New Orleans, Louisiana, the duties now required of other commissioners of immigration at their respective posts.

Deportation: To be to transoceanic ports;

SEC. 35. That the deportation of aliens arrested within the United States after entry and found to be illegally therein, provided for in this Act, shall be to the trans-Atlantic or trans-Pacific ports from which said aliens embarked for the United States; or, if such embarkation was for foreign contiguous territory, to the foreign port at which said aliens embarked for such territory.

Of aliens entering unlawfully.

SEC. 36. That all aliens who shall enter the United States except at the seaports thereof, or at such place or places as the Secretary of Commerce and Labor may from time to time designate, shall be adjudged to have entered the country unlawfully and shall be deported as provided by sections twenty and twenty-one of this Act: *Provided*, That nothing contained in this section shall affect the power conferred by section thirty-two of this Act upon the Commissioner-General of Immigration to prescribe rules for the entry and inspection of aliens along the borders of Canada and Mexico.[a]

Ports of entry: To be designated on land borders.

Admission: Of diseased wife or minor children of alien who has declared intention to become citizen.

SEC. 37. That whenever an alien shall have taken up his permanent residence in this country, and shall have filed his declaration of intention to become a citizen, and thereafter shall send for his wife, or minor children to join him, if said wife or any of said children shall be found to be affected with any contagious disorder, such wife or children shall be held, under such regulations as the Secretary of Commerce and Labor shall prescribe, until it shall be determined whether the disorder will be easily curable, or whether they can be permitted to land without danger to other persons; and they shall not be either admitted or deported until such facts have been ascertained; and if it shall be determined that the disorder is easily curable or that they can be permitted to land without danger to other persons, they shall, if otherwise admissible, thereupon be admitted.[b]

[a] See Rule 38; also paragraph (*g*), Rule 21.
[b] See Rule 11.

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Anarchists: Not to be admitted;

SEC. 38. That no person who disbelieves in or who is opposed to all organized government, or who is a member of or affiliated with any organization entertaining and teaching such disbelief in or opposition to all organized government, or who advocates or teaches the duty, necessity, or propriety of the unlawful assaulting or killing of any officer or officers, either of specific individuals or of officers generally, of the Government of the United States or of any other organized government, because of his or their official character, shall be permitted to enter the United States or any territory or place subject to the jurisdiction thereof. This section shall be enforced by the Secretary of Commerce and Labor under such rules and regulations as he shall prescribe. That any person who knowingly aids or assists any such person to enter the United States or any territory or place subject to the jurisdiction thereof, or who connives or conspires with any person or persons to allow, procure, or permit any such person to enter therein, except pursuant to such rules and regulations made by the Secretary of Commerce and Labor shall be fined not more than five thousand dollars, or imprisoned for not more than five years, or both.[a]

Penalty for assisting to enter.

Immigration Commission: How appointed;

SEC. 39. That a commission is hereby created, consisting of three Senators, to be appointed by the President of the Senate, and three members of the House of Representatives, to be appointed by the Speaker of the House of Representatives, and three persons, to be appointed by the President of the United States. Said commission shall make full inquiry, examination, and investigation by sub-committee or otherwise into the subject of immigration. For the purpose of said inquiry, examination, and investigation, said commission is authorized to send for persons and papers, make all necessary travel, either in the United States or any foreign country, and, through the chairman of the commission or any member thereof to administer oaths and to examine witnesses and papers respecting all matters pertaining to the subject, and to employ necessary clerical and other assistance. Said commission shall report to the Congress the conclusions reached by it and make such recommendations as in its judgment may seem proper. Such sums of money as may be necessary for the said inquiry, examination, and investigation are hereby appropriated and authorized to be paid out of the "immigrant fund" on the certificate of the chairman of said commission, including all expenses of the commissioners and a reasonable compensation, to be fixed by the President of the United States, for those members of the commission who are not members of Congress; and the President of the United States is also authorized, in the name of the Government of the United States, to call, in his discretion, an international conference, to assemble at such point as may be agreed upon, or

Authority and duties;

Expenses of, how paid.

International Conference: President authorized to arrange for;

[a] For method of reporting, see Rule 30.

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to send special commissioners to any foreign country, for the purpose of regulating by international agreement, subject to the advice and consent of the Senate of the United States, the immigration of aliens to the United States; of providing for the mental, moral, and physical examination of such aliens by American consuls or other officers of the United States Government at the ports of embarkation, or elsewhere; of securing the assistance of foreign governments in their own territories to prevent the evasion of the laws of the United States governing immigration to the United States; of entering into such international agreements as may be proper to prevent the immigration of aliens who, under the laws of the United States, are or may be excluded from entering the United States, and of regulating any matters pertaining to such immigration.

International Conference: Purpose of.

SEC. 40. Authority is hereby given the Commissioner-General of Immigration to establish, under the direction and control of the Secretary of Commerce and Labor, a division of information in the Bureau of Immigration and Naturalization; and the Secretary of Commerce and Labor shall provide such clerical assistance as may be necessary. It shall be the duty of said division to promote a beneficial distribution of aliens admitted into the United States among the several States and Territories desiring immigration. Correspondence shall he had with the proper officials of the States and Territories, and said division shall gather from all available sources useful information regarding the resources, products, and physical characteristics of each State and Territory, and shall publish such information in different languages and distribute the publications among all admitted aliens who may ask for such information at the immigrant stations of the United States and to such other persons as may desire the same. When any State or Territory appoints and maintains an agent or agents to represent it at any of the immigrant stations of the United States, such agents shall, under regulations prescribed by the Commissioner-General of Immigration, subject to the approval of the Secretary of Commerce and Labor, have access to aliens who have been admitted to the United States for the purpose of presenting, either orally or in writing, the special inducements offered by such State or Territory to aliens to settle therein. While on duty at any immigrant station such agents shall be subject to all the regulations prescribed by the Commissioner-General of Immigration, who, with the approval of the Secretary of Commerce and Labor, may, for violation of any such regulations, deny to the agent guilty of such violation any of the privileges herein granted.

Information division: Establishment of; Duties and authority of.

State agents: Appointment and stationing at ports; Courtesies to; Control of.

SEC. 41. That nothing in this Act shall be construed to apply to accredited officials of foreign governments nor to their suites, families, or guests.[a]

Foreign officials: Exempted from provisions hereof.

[a] See paragraph (*b*), Rule 2.

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Amendatory of navigation act.

SEC. 42. It shall not be lawful for the master of a steamship or other vessel whereon immigrant passengers, or passengers other than cabin passengers, have been taken at any port or place in a foreign country or dominion (ports and places in foreign territory contiguous to the United States excepted) to bring such vessel and passengers to any port or place in the United States unless the compartments, spaces, and accommodations hereinafter mentioned have been provided, allotted, maintained, and used for and by such passengers during the entire voyage; that is to say, in a steamship, the compartments or spaces, unobstructed by cargo, stores, or goods, shall be of sufficient dimensions to allow for each and every passenger carried or brought therein eighteen clear superficial feet of deck allotted to his or her use, if the compartment or space is located on the main deck or on the first deck next below the main deck of the vessel, and twenty clear superficial feet of deck allotted to his or her use for each passenger carried or brought therein if the compartment or space is located on the second deck below the main deck of the vessel: *Provided*, That if the height between the lower passenger deck and the deck immediately above it is less than seven feet, or if the apertures (exclusive of the side scuttles) through which light and air are admitted together to the lower passenger deck are less in size than in the proportion of three square feet to every one hundred superficial feet of that deck, the ship shall not carry a greater number of passengers on that deck than in the proportion of one passenger to every thirty clear superficial feet thereof. It shall not be lawful to carry or bring passengers on any deck other than the decks above mentioned. And in sailing vessels such passengers shall be carried or brought only on the deck (not being an orlop deck) that is next below the main deck of the vessel, or in a poop or deck house constructed on the main deck; and the compartment or space, unobstructed by cargo, stores, or goods, shall be of sufficient dimensions to allow one hundred and ten cubic feet for each and every passenger brought therein. And such passenger shall not be carried or brought in any between decks, nor in any compartment, space, poop, or deck house, the height of which from deck to deck is less than six feet. In computing the number of such passengers carried or brought in any vessel, children under one year of age shall not be included, and two children between one and eight years of age shall be counted as one passenger; and any person brought in any such vessel who shall have been, during the voyage, taken from any other vessel wrecked or in distress on the high seas, or have been picked up at sea from any boat, raft, or otherwise, shall not be included in such computation. The master of a vessel coming to a port or place in the United States in violation of either of the provisions of this section shall be deemed guilty of a misdemeanor; and if the

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number of passengers other than cabin passengers carried or brought in the vessel, or in any compartment, space, poop, or deck house thereof, is greater than the number allowed to be carried or brought therein, respectively, as hereinbefore prescribed, the said master shall be fined fifty dollars for each and every passenger in excess of the proper number, and may also be imprisoned not exceeding six months. Amendatory of navigation act.

This section shall take effect on January first, nineteen hundred and nine.

SEC. 43. That the Act of March third, nineteen hundred and three, being an Act to regulate the immigration of aliens into the United States, except section thirty-four thereof, and the Act of March twenty-second, nineteen hundred and four, being an Act to extend the exemption from head tax to citizens of Newfoundland entering the United States, and all Acts and parts of Acts inconsistent with this Act are hereby repealed: *Provided*, That this Act shall not be construed to repeal, alter, or amend existing laws relating to the immigration or exclusion of Chinese persons or persons of Chinese descent, nor to repeal, alter, or amend section six, chapter four hundred and fifty-three, third session Fifty-eighth Congress, approved February sixth, nineteen hundred and five, or, prior to January first, nineteen hundred and nine, section one of the Act approved August second, eighteen hundred and eighty-two, entitled "An Act to regulate the carriage of passengers by sea." Repealing clause: Exceptions.

SEC. 44. That this Act shall take effect and be enforced from and after July first, nineteen hundred and seven: *Provided, however*, That section thirty-nine of this Act and the last proviso of section one shall take effect upon the passage of this Act and section forty-two on January first, nineteen hundred and nine. When effective.

Approved February 20, 1907. (34 Stat., pt. 1, p. 898.)

EXTRACT FROM THE SUNDRY CIVIL APPROPRIATION ACT APPROVED MARCH 4, 1909.[a]

"In all, one million two hundred and sixty-six thousand seven hundred and fifty dollars, *which shall include the amount necessary for the medical inspection of aliens, as required by section seventeen of the Act of Congress approved February twentieth, nineteen hundred and seven, and the provision of said section of said Act requiring the reimbursement by the immigration fund for said expenses is hereby repealed.*"

[a] Under caption "Public Health and Marine Hospital Service" (35 Stat., 969).

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ACT APPROVED MARCH 4, 1909.

AN ACT relative to outward alien manifests on certain vessels.[a]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That until the provisions of section twelve of the immigration Act of February twentieth, nineteen hundred and seven, relating to outward alien manifests, shall be made applicable to passengers going out of the United States to Canada by land carriage, said provisions shall not apply to passengers going by vessels employed exclusively in the trade between the ports of the United States and the Dominion of Canada and the Republic of Mexico.

Approved, March 4, 1909.

[a] 35 Stat., 1060.

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IMMIGRATION REGULATIONS.

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DEPARTMENT OF COMMERCE AND LABOR,
BUREAU OF IMMIGRATION AND NATURALIZATION.

Note: Meaning of terms employed.

NOTE.—Wherever, in the following rules, the expression "Immigration Act" is used, it shall be understood to refer to the act entitled "An act to regulate the immigration of aliens into the United States," approved February 20, 1907; and wherever a numbered section is mentioned it shall be understood to refer to the section of that number in said act, unless explicitly stated to the contrary.

Philippine Islands: Regulations not applicable to.

The following rules do not apply to aliens seeking admission to the Philippine Islands, the administration of the immigration laws and the collection of head tax therein having been vested in the officers of the general government of those islands by section 6 of the act approved February 6, 1905.

RULES RELATING TO HEAD TAX.

Head tax: Collection of;

Rule 1. *Collection of head tax.*—The head tax imposed by section 1 of the Immigration Act is to be levied and collected in respect of all aliens entering the United States, except such as are described in Rule 2 hereof.

Certification of, to collector;

Upon the arrival of any aliens at any seaport of the United States, the immigration officer in charge shall certify to the collector of customs the number of aliens on account of whom the tax is payable and the name of the person required to pay the same. Upon receipt of such certificate, the collector of customs shall forthwith collect a tax of four dollars for each alien so certified.

Deposit of;

The tax collected on account of aliens, who are not permitted to land, but are held for examination by a board of special inquiry, and the tax collected on account of aliens permitted to enter for the purpose of passing in transit through the United States, shall be held as a special deposit, to be refunded, in the one case, when an alien detained for examination has been excluded, and in the other, when an alien proceeding in transit through the United States has left the country. The collections so

Refundment of;

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made shall no longer be held on special deposit, but shall be accounted for in the regular manner, in the case of aliens detained for examination, so soon as it shall appear that they are admitted, and, in the case of aliens entering for the purpose of transit, if, at the expiration of sixty days from time of entry, it is not shown that they have passed out of the country. Head tax:

The head tax payable on account of aliens entering the United States from foreign contiguous territory shall be levied and collected, at Mexican border ports, according to the provisions of Rule 27 hereof, and at Canadian border ports according to the terms of an agreement between the Commissioner-General of Immigration and certain transportation companies, embodied in Rules 24 and 25 hereof. Collection of, on Mexican and Canadian borders;

Rule 2. *Exemptions from head tax.*—The head tax shall not be levied in respect of the following aliens: *Exemptions from—*

(*a*) Aliens who do not enter the United States because excluded from admission thereto by the Immigration Act. (Secs. 1 and 2.) Excluded aliens;

(*b*) Diplomatic and consular officers and other accredited officials of foreign governments, their suites, families, and guests coming to the United States to reside or to pass through in transit. (Sec. 41.) Diplomatic officers:

(*c*) Head tax shall not be collected on account of aliens entering the United States from Canada, Newfoundland, Cuba, or Mexico whose legal domicile or bona fide residence was in one of the countries specified for at least one year immediately preceding such entrance if it merely appears that the continuity of their physical presence at their place of residence or domicile was broken by one or more transient and temporary departures therefrom; nor shall head tax be collected on account of such aliens if it merely appears that, instead of entering the United States from Canada, Newfoundland, Cuba or Mexico directly, they come by way of some other foreign country in which they had made a merely temporary or transient sojourn. Residents Canada, Newfoundland, Cuba, and Mexico;

(*d*) Head tax shall not be collected on account of aliens reentering the United States from Canada, Newfoundland, Cuba, or Mexico who are citizens thereof but who have acquired a legal domicile or bona fide residence in the United States, and who are returning from a visit to one of the said countries, notwithstanding that the period of a full year has not intervened between the date of their departure from and the date of their return to the United States. Residents of U. S. temporarily visiting Canada, Newfoundland, Cuba, or Mexico;

(*e*) Aliens, otherwise admissible, who are residents of any possession of the United States, provided at the time of admission to such possession head tax was paid on their account. (Sec. 1.) Residents insular possessions;

(*f*) Aliens who enter the United States only for the purpose of transit to foreign destinations. Collections made in respect of such aliens will be held on special de- Transits;

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Head tax: Exemptions from—

posit and will be refunded pursuant to Rules 1 and 41. (Sec. 1.)

Aliens in continuous journey;

(*g*) Aliens who have been lawfully admitted to the United States and who later shall go in transit from one part of the United States to another through foreign contiguous territory. Satisfactory evidence of such previous lawful admission and of previous payment of head tax shall be required in the case of aliens on whose behalf this exemption is claimed, as in paragraphs (*c*) and (*d*) of this rule. Personal knowledge on the part of an immigration officer, or a written statement from such an officer based on an examination of official records certifying to the fact of previous entry and payment of tax, will be sufficient. As evidence of the continuity of the transit, production of a dated passenger ticket, where such exists, may be required. (Sec. 1.)

At ports of Guam, Porto Rico, and Hawaii.

(*h*) Aliens arriving in Guam, Porto Rico, or Hawaii; but if any such alien, not having become a citizen of the United States, shall later arrive at any port or place of the United States on the North American Continent the provisions for the levy and collection of head tax shall apply. (Sec. 1.)

Immigrant fund: Accounting for receipts for.

Rule 3. *Accounting for head tax and other receipts.*—All moneys collected on account of head tax, as well as all moneys collected for rentals of exclusive privileges at United States immigrant stations and all moneys collected as fines for violations of the immigration laws (whether imposed by the Department or the courts), shall be deposited to the credit of the Treasurer of the United States on account of miscellaneous receipts, with an assistant treasurer of the United States, or national-bank depositary, in the same manner as other miscellaneous collections are deposited. Separate accounts of the receipts and expenditures of money under the act shall be rendered monthly to the Secretary of the Treasury through the Department of Commerce and Labor on forms to be furnished by the Government for the purpose.

RULES RELATING TO ADMISSION OR EXCLUSION.

Immigration Act: To whom applicable.

Rule 4. *Application of Immigration Act.*—The provisions of the Immigration Act apply to all aliens seeking to enter the United States, except accredited officials of foreign governments, their suites, families, and guests. The act also prescribes the conditions of their admission to or exclusion from the United States, or any waters, territory, or other place subject to the jurisdiction thereof, except the Isthmian Canal Zone. The act becomes effective when such aliens arrive from any foreign country, or other place without the jurisdiction of the United States, or from the Canal Zone. The provisions of the Immigration Act do not apply to aliens who have once been duly admitted to the United States or any waters, territory, or other place subject to the jurisdiction thereof,

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passing back and forth between the insular possessions and the continental territories of the United States, except aliens coming from the Canal Zone, and except Japanese or Korean laborers coming from Hawaii, with passports limited to Hawaii, Mexico, or Canada. The admission of aliens coming from the Canal Zone is governed by the regulations applicable to aliens generally; the admission of Japanese or Korean laborers to the continental territory of the United States is governed by the provisions of the Executive order of the President embodied in Rule 21 hereof.

Examination: Who excludable upon;

Rule 5. *Examination of aliens.*—No alien who falls within one of the classes of persons enumerated and defined in section 2 of the Immigration Act or in the Executive order embraced in Rule 21 hereof shall be admitted to the United States, nor (with the exception of the Isthmian Canal Zone) to any waters, territory, or other place subject to the jurisdiction thereof. Every alien seeking to enter the United States, as thus defined, who does not fall within any of the classes so enumerated, shall be admitted.

Children under 16;

Children under sixteen years of age, unaccompanied by one or both of their parents, shall not be permitted to enter the United States, if it appears, or the circumstances indicate, that they are to be placed in forced or "padrone" servitude or in any employment unsuited to their years.

Primary inspection;

Every alien arriving at a port of the United States shall be promptly examined, as by law provided, either on shipboard or at some other place designated for that purpose. Every alien who may appear to the examining immigrant inspector to be clearly and beyond doubt entitled to land shall be at once admitted; every alien who may not appear to be clearly and beyond a doubt entitled to land shall be detained for examination by a board of special inquiry, which examination shall be promptly conducted separate and apart from the public, and, upon the conclusion thereof, the alien shall be either immediately landed or ordered excluded and returned to the country whence he came. If an appeal lies, the alien shall be informed of his right thereto, and the fact that he has been so informed shall be entered of record in the minutes of the board's proceedings. If the alien elects to appeal, he must, to enable officers to comply with the provisions of section 19, file notice of such appeal not less than forty-eight hours prior to the sailing of the first vessel by which his return may be effected, unless such sailing occurs less than forty-eight hours after the order of deportation is made. But in no event shall an appeal be considered after an alien has, in consequence of an adverse decision of a board of special inquiry, been transferred from an immigrant station to be excluded, unless such transfer has been made to prevent congestion, or danger of contagion, as provided by Rule 8 hereof.

Board special inquiry inspection.

Appeals: Notifying alien of right to; Filing notice of;

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Appeals: Notice to steamship company;

If an alien, rejected on account of disability or disease, or because insane or mentally defective, is in such physical or mental condition as to require special care and attention during the ocean voyage and land trip of deportation, the commissioner or inspector in charge shall, when delivering such rejected alien into the custody of the master or first or second officer of the vessel by which deportation is to be effected, furnish such officer with a statement of particulars (Form No. 597) and accompanying receipt and returns, for use in accordance with the provisions of Rule 37 hereof, all applicable requirements of which rule shall be observed. In the cases of aliens rejected by boards of special inquiry, or by the Department on appeal, the commissioner of immigration or inspector in charge shall, as promptly as circumstances permit, notify the steamship line by a vessel of which the alien is to be deported, furnishing full particulars as to the cause of rejection, and, if the alien is diseased, disabled, or insane, a statement of the alien's condition.

When permissible;

Rule 6. *Appeals.*—Except as specified in this rule, an appeal may be taken by the alien himself or by a dissenting member of the board from any decision of a board of special inquiry which determines whether an alien shall be admitted or excluded. No appeal is permissible when the decision of the board rejecting an alien *is based upon* a certificate of the examining medical officer which shows—

When not permissible; because decision is based on medical certificate;

(*a*) That the alien is afflicted with tuberculosis or with a loathsome or dangerous contagious disease;

(*b*) That the alien is an idiot, an imbecile, an epileptic, or is insane or feeble-minded;

(*c*) That the alien has been insane within five years previously, or has had two or more attacks of insanity at any time previously;

(*d*) That the alien has any *mental* defect which in the board's opinion may affect his ability to earn a living or render him likely to become a public charge;

(*e*) That the alien has any *physical* defect which in the board's opinion may affect his ability to earn a living or render him likely to become a public charge; but aliens coming within this class may nevertheless be admitted, in the discretion of the Secretary, as provided in Rule 20 hereof.

Discretion of board of inquiry under section 10;

Boards of special inquiry in reaching decisions "based upon the certificate of the examining medical officer" are to be governed by the following considerations: It is "the decision of the board of special inquiry" which is made unappealable in certain cases by section 10, and not "the certificate of the examining medical officer." In arriving at a decision, therefore, the board is required to exercise its own discretion in determining whether or not it will "base" the same upon the certificate of the examining medical officer. Where the decision of the board is

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Appeals:

expressly "based" upon medical certificates of the character specified by section 10, no appeal is allowed by the act. But whether the board will so "base" its decision will naturally depend upon the circumstances of the case. Thus—

Circumstances determining whether board's decision shall be based on medical certificate, and whether case shall be decided by board subject to appeal or shall be considered an application for bond.

When the medical certificate shows that an alien is affected with tuberculosis or with a loathsome or dangerous contagious disease, or when it shows that an alien is an idiot, an imbecile, or an epileptic, or is insane or feeble-minded, the board of special inquiry is virtually forced to "base" its decision upon that certificate, the reason being that whether or not an alien is so affected is purely a matter of medical science and not such a matter as to which a board of laymen can be expected to reach an intelligent conclusion.

Where the medical certificate states that an alien is affected with any mental defect or physical defect (other than those just named), either of which defects is of a nature that might affect the ability of the alien to earn a living or make him likely to become a public charge, or when the medical certificate states that the alien has been insane within five years previously, or has had two or more attacks of insanity at any time previously, the question to be determined is a practical one quite as much as a medical one, and boards of special inquiry should not only receive and carefully consider the certificate of the medical officer, but should likewise consider all the facts and surrounding circumstances of the case, and from the case as a whole reach their own conclusion as to whether the defect is of a nature which may, considering all the circumstances of the case, affect his ability to earn a living or render him likely to become a public charge, or whether the alien has actually been afflicted in the past.

If the defect for which certified is *physical*, not *mental*, and, on consideration of the whole case, the board's decision is that such physical defect is one which may affect his ability to earn a living or render him likely to become a public charge, and the alien is otherwise admissible, he should be given an opportunity to make application for landing under bond in accordance with Rule 20.

Application for landing under bond and Appeals:

If, on the other hand, the board's conclusion is that the defect is not of such a nature as to affect the ability of the alien to earn a living or render him likely to become a public charge, considering all the facts surrounding his case, and that the alien is otherwise admissible, the board should land the alien unconditionally; or, if the board's conclusion is that the alien should be rejected, not solely because of the certificate but on the basis of all the facts and circumstances, the alien should be rejected and advised of his right to appeal in the usual manner.

Distinction drawn between:

To summarize so much of the foregoing as relates to the distinction between *appeals* and applications for admission under *bond:*

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Appeals:

When a board concludes that an alien is "liable to be excluded because likely to become a public charge or because of physical disability other than tuberculosis or a loathsome or dangerous contagious disease," and such conclusion is not based *solely upon the medical certificate, the board should render a decision, from which decision the alien has the right of appeal.*

But when the board reaches such conclusion upon the basis solely *of the medical certificate, no decision should be rendered, but the alien should be given an opportunity to apply for admission under bond in accordance with Rule 20.*

Notice of, to act as stay of deportation;

Rule 7. *Appeals, procedure.*—Notice of appeal shall act as a stay of all proceedings until a final decision is rendered by the Secretary; and, within forty-eight hours after the filing of such notice, the complete record of the case shall be forwarded to the Commissioner-General of Immigration by the immigration officer in charge at the port of arrival, accompanied by his views thereon in writing; but on such appeal of any case to the Secretary no evidence will be considered which has not already been passed upon in said case by a board of special inquiry at the original hearing, or upon a rehearing if so ordered. (See sec. 25.) If, to prevent a miscarriage of justice, additional time is granted to the friends or counsel of an appealing alien, the said immigration officer may require the deposit of a sum of money sufficient to defray the cost of maintaining appellant during the additional time thus allowed.

Evidence considered on;

Granting additional time for;

Making record of;

Rule 8. *Appeals, procedure.*—The commissioner of immigration or the immigration officer in charge at the port of landing shall enter of record the name of every alien found upon examination to be within any of the prohibited classes, with a statement of the decision in each case; and if such decision be appealed from immediately upon the receipt from the Department of its conclusions thereupon the alien shall be landed or deported in accordance with such conclusion. If a landing is refused on appeal, the master, agent, consignee, or owner of the vessel by which the said alien arrived shall be notified by the commissioner or officer in charge, and advised that the alien will be placed aboard the vessel of the line involved next sailing, for deportation. The commissioner or officer in charge at a port of entry where a detention station is located may, immediately upon exclusion, place debarred aliens on board the vessel by which they are to be deported, if in his judgment such action is necessary to prevent congestion or danger of contagion in such station. (See Rule 5.)

Notifying steamship of dismissal of.

Medical examination:

What surgeons to conduct;

Rule 9. *Medical examination.*—Officers of the United States Public Health and Marine-Hospital Service (or, if such officers are not available, civil surgeons of not less than four years' professional experience) are required by section 17 of the Immigration Act to make a physical and

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mental examination of all arriving aliens, and to certify for the information of immigration officers any and all physical and mental defects or diseases observed by them. Every officer of such Service detailed for this duty shall, subject to the instructions of the Surgeon-General of the Public Health and Marine-Hospital Service, be under the direction of the immigration officer in charge of the port to which he may be detailed. Medical examination:

The certificate of the medical officer shall state the physical or mental defect or disease observed, specifying the name by which it is known in common speech as well as the name by which it is known in medicine; and the certificate shall also state: *Certificates covering, contents of—*

(*a*) Where an alien is certified as having been insane within five years previous, or as having had two or more attacks of insanity at any time previously, how the previous existence of the malady has been ascertained (sec. 2); Insane within 5 years;

(*b*) Where an alien is certified as being afflicted with a loathsome or dangerous contagious disease, that the disease named is in fact a loathsome or dangerous contagious disease, and is or is not of a quarantinable nature (secs. 2, 19); Contagious diseases;

(*c*) Where an alien is certified as having a mental or physical defect of a nature which may affect his ability to earn a living, or as being likely to become a public charge by reason of any mental or physical disability, the bearing of such mental or physical shortcoming upon the customary occupation of the alien and upon his general capacity for useful employment, whether such defect is of a temporary or permanent nature, and whether the deficiency of the alien has been corrected by artificial or educational means (secs. 2, 10, 26); Mental and physical defects;

(*d*) Where an alien is certified for permission to land for medical treatment in any hospital of the United States, or where it is certified that the health or safety of an insane alien would be unduly imperiled by immediate deportation, that the alien is not suffering from tuberculosis or from a loathsome or dangerous contagious disease of a nonquarantinable nature, and the probable duration of the alien's detention in hospital, asylum, or elsewhere (sec. 19); When hospital treatment required;

(*e*) Where an alien is certified as being helpless from sickness, mental or physical disability, or infancy, whether such alien requires the protection or guardianship of an attendant (secs. 11, 21); For helplessness;

(*f*) Where the wife or minor children of an alien who has declared his intention to become a citizen are certified as being affected with any contagious disorder, whether such disorder is a loathsome or a dangerous one, the probable length of time needed to determine whether the disorder will be easily curable, and whether they can be permitted to land without danger to other persons (sec. 37); and Wives and minor children;

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Medical examination:

Certificates covering, contents of—

Persons afflicted at time foreign embarkation.

(*g*) Where an alien is certified as being an idiot, imbecile, epileptic, or afflicted with tuberculosis or with a loathsome or dangerous contagious disease, whether the alien was so afflicted at the time of foreign embarkation, whether the existence of the disease or disability might have been detected by means of a competent medical examination at such time, how the previous condition of the alien has been ascertained, and the ground for believing that it might have been detected by a competent examination.

Landing for hospital treatment:

Conditions under which permissible;

Rule 10. *Landing for hospital treatment.*—(*a*) Where an alien has been excluded by decision of a board of special inquiry and the order for the return of the alien has been suspended, or where an alien is held, pending the determination of his case, by order of court, to await transportation, on account of his health, because his testimony is required in the prosecution of offenders against the act, or for some other cause, an application may be made, accompanied by the certificate of the medical examiner, to the Secretary of Commerce and Labor for permission to allow the landing of the alien for hospital treatment or other appropriate care or attention.

Evidence required, in urgent cases—

(*b*) Such an application will be granted as of course where it is certified by the medical examiner that the health or safety of an insane alien would be unduly imperiled by immediate deportation, or where it is manifest to the commissioner of immigration, or the immigration officer in charge, that the condition of the alien requires immediate hospital treatment. In such cases, pending the decision of the Secretary, hospital treatment or other appropriate care or attention shall be immediately afforded.

—in other cases;

(*c*) In all other cases the application will not be granted unless it clearly appears from the report of the commissioner of immigration, or the immigration officer in charge, or from other evidence accompanying the application, that such a course is necessary to meet the ends of justice and humanity.

By "express permission" of Secretary:

(*d*) Applications to land for medical treatment in a hospital of the United States by the "express permission" of the Secretary, made by or on behalf of aliens certified to be suffering from tuberculosis or from a loathsome or dangerous contagious disease (sec. 19), must be

Evidence required;

accompanied by a certificate of a Public Health and Marine-Hospital surgeon showing the exact character and extent of the malady with which the alien is suffering and estimating the duration of the treatment that will be required to effect a cure. The alien making the application, or the person making it in his behalf, shall deposit with the commissioner of immigration, or inspector in charge, a sum of money sufficient to cover the cost of affording the alien treatment for the period of time estimated in the above-mentioned certificate (and give satisfactory assurances that further deposit will be remitted

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if needed), if such estimated period does not exceed sixty days; and, in the event the estimate is for more than said time, a deposit shall be made sufficient to cover treatment for sixty days, and satisfactory assurances given that at least fifteen days prior to the expiration of said period a further deposit will be made sufficient to cover cost of treatment for thirty days additional and a remittance of a similar amount fifteen days prior to the expiration of the period covered by this deposit, and so on until the alien is cured and allowed to proceed, or the case otherwise disposed of. The said alien, or person interested in his behalf, shall also be advised that failure in any instance to comply with this requirement will result in deportation by the next sailing of the line involved. There shall also be deposited by the alien, or by the person making the application in his behalf, a sum of money (or transportation ticket and money) sufficient to defray the expense of forwarding the alien, if and when eventually cured, to his destination within the United States; and, in the event that such alien is a person who, by reason of infancy or other cause, will require the care of an attendant while traveling, such deposit shall be sufficient to also cover the expense of detailing an employee of the Immigration Service to accompany the alien to his destination, and the cost of the return of such employee to his or her station, or satisfactory assurances must be given that such an attendant will be furnished by the person making the application. The certificate above mentioned shall be forwarded to the Bureau of Immigration and Naturalization, accompanied by a report of the circumstances of the case, sufficiently detailed to enable the Department to determine whether there are present any peculiar conditions that render the exercise of its authority necessary to meet the ends of justice and humanity. Such report shall also show whether the deposits and assurances hereinbefore mentioned have been made and given, describing the character of the assurances. If the application is granted by the Department the alien will be permitted to enter a hospital for treatment. Should such treatment extend over a period exceeding sixty days and the deposit to cover any succeeding thirty-day period not be promptly forthcoming as above required, the fact of such failure shall be immediately reported to the Department in order that instructions for the deportation of the alien may issue. When any alien so detained is cured and allowed to proceed to destination, such amount as remains unexpended of the deposit or deposits made on his account shall be returned to the depositor and his receipt taken therefor.

Landing for hospital treatment:
By "express permission" of Secretary;
Deposits required—money and transportation;
Procedure regarding alien and deposits;

(*e*) The landing or detention of an alien for the purpose contemplated by this rule shall not be construed in any manner to alter the status of the alien with reference to his right to enter or remain in the United States. (Sec. 19.)

Not admission.

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Wives and children of domiciled aliens: Landing of, for treatment;

Rule 11. *Detention of sick wives or children.*—Where, upon the arrival of the wife or minor child or children sent for by an alien who has declared his intention to become a citizen, or of the minor child or children of a naturalized citizen, born abroad prior to his naturalization, such wife, child, or children are found to be afflicted with a contagious disorder and it can not be immediately determined whether the disorder will be easily curable, they shall be held until a determination can be had, and an application may be made, accompanied by the certificate of the medical examiner, to the Secretary of Commerce and Labor for permission to allow the landing of such wife or child for hospital treatment or other appropriate care or attention. In such cases, where necessary, pending the decision of the Secretary, hospital treatment or other appropriate care or attention shall be immediately afforded. This application or the accompanying papers must clearly show that the husband or father has actually taken up his permanent residence in this country and has actually filed his declaration of intention to become a citizen of the United States, or has actually been naturalized, and that he is in fact the husband or father of the alien in question. Nothing contained herein shall be taken as in any manner affecting the liability of transportation companies under section 9, or as altering the status of the aliens concerned with reference to their admission or exclusion. (See sec. 37, and Rules 10 and 12.)

Evidence required.

Helpless aliens: Guardian en voyage for, when deported.

Rule 12. *Detention of attendants for helpless aliens.*—Where it is found that an alien is helpless from sickness, mental or physical disability, or infancy, and that, if excluded, he will require the protection and guardianship of an attendant upon his return to the country whence he came, if the alien arrives accompanied by others, not more than one of such accompanying aliens (preferably a natural guardian or relative) shall be detained to act if, in the judgment of the commissioner of immigration or the immigration officer in charge, such detention is necessary. Such detention shall not be deemed necessary, but is permissible, in quarantinable cases. If the alien arrives unaccompanied, a suitable person shall be employed for the purpose. The expense incident to such detention or employment and to the transportation involved shall be borne by the transportation company. (Secs. 11, 19, 21.)

Disabled aliens: Hospital treatment of;

Rule 13. *Detention and treatment of aliens, procedure and expense of.*—(*a*) A disabled alien, within the purview of Rules 10, 11, and 12 hereof, may be afforded the required medical treatment on board ship or in the detention quarters, or may be removed to a suitable hospital for treatment, as in his discretion the commissioner of immigration or inspector in charge at the port may decide is required by existing circumstances and the condition of the alien's health as reported upon by the surgeon charged

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with the medical examination of aliens at such port. If such an alien is removed to a hospital he shall not be regarded as in any sense landed, and the cost of his maintenance and care there must be borne in one of the several ways hereinafter specified, as the circumstances of the case may require. Disabled aliens:

(*b*) If in the judgment of the commissioner or inspector in charge, based upon the expressed opinion of the medical examiner, it is necessary as a measure of humanity or for the proper care of an alien removed to hospital to also place in the hospital a suitable attendant or some person who is dependent upon the disabled alien, or the reverse, the cost of the detention in hospital of such additional person must be borne in the same manner as the cost of treating the disabled alien. Attendants for;

(*c*) The expenses involved in detaining or treating aliens shall be borne as follows: (1) *By the Government.*—In cases of (*aa*) Those held as witnesses under section 19 and Rule 14; (*bb*) Insane aliens whose health or safety would be unduly imperiled by immediate deportation (sec. 19); (*cc*) Wives and minor children of aliens who have declared intention, or minor children of naturalized citizens born abroad prior to naturalization of parent (sec. 37 and Rule 11; Op. Compt., Jan. 15, 1908). (2) *By the alien.*—Those treated by "express permission" of the Secretary, under section 19, although afflicted with tuberculosis or a loathsome or dangerous contagious disease, in accordance with the provisions of Rule 10 (Op. Compt., Jan. 15, 1908). (3) *By the alien, preferably, but by immigrant fund under special authority.*—Aliens whom it is necessary for any reason to hold at a port of entry, *after admission*, in accordance with Rule 15. (4) *By steamship companies.*—Aliens not falling within any of the foregoing classes whom it is necessary for any reason to hold or to treat in hospital *pending determination* of right to land, or awaiting deportation under order of rejection of a board of special inquiry or of the Department (sec. 19). Expenses of hospital care of;

(*d*) Covering cases of the character mentioned in class (4) of the preceding paragraph, bills for hospital treatment and maintenance shall be rendered monthly by hospitals against the steamship companies responsible, through the office of the commissioner of immigration or inspector in charge, the latter's approval to be attached to the bills, if found correct, before forwarding them to the companies for settlement. Officers of the Immigration Service will in all such cases look to the steamship companies for settlement of the hospital bill. If any steamship company refuses to pay such bills rendered with the approval of the immigration officials, it will, of course, be necessary to require thereafter that all aliens brought by the vessels of such company shall be held on board ship until their applications for admission have been finally adjudicated. Bills for hospital treatment of; Refusal to pay for treatment of.

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Witnesses: Holding aliens to act as.

Rule 14. *Holding of aliens as witnesses.*—When it is thought that the deportation of an excluded alien should be suspended so that his testimony may be had in a prosecution of offenders against the Immigration Act, in reporting to the Bureau the violation of law involved, immigration officials should give reasons for the belief that the violators should be prosecuted and the aliens held as witnesses, and if such reasons are found sufficient, authority will issue, with the approval of the Secretary, for the holding of the witnesses at the expense of the "appropriation for the enforcement of the immigration act." (Sec. 19.)

Assisting and protecting aliens: Providing means in case of accident.

Rule 15. *Assistance to admitted aliens.*—Any alien who has been admitted may be permitted to wait for friends or remittances upon payment by him of the actual expenses incurred by reason of such delay. In case such an alien is unable, from accident or other unavoidable circumstances, to immediately continue his journey, and is without sufficient means to defray the expense of his enforced delay, the commissioner of immigration may, in his discretion, pay said expense, reporting said case to the Bureau of Immigration and Naturalization, with reasons for his action, and request that such expense be repaid out of the "appropriation for the enforcement of the immigration act."

Charges for care and maintenance: Not to exceed actual cost.

Rule 16. *Charges for care and maintenance.*—At ports where the Immigration Service maintains hospitals no charge for food, lodging, or maintenance, or for hospital attendance, medicines, or other hospital expenses shall be made in excess of the actual cost of furnishing the same, the intention being to make the Service self-supporting without profit.

Members of boards of special inquiry: Oath to be taken by.

Rule 17. *Oath, board of special inquiry.*—Any immigration or other Government officer appointed to serve on a board of special inquiry under the provisions of section 25 of the Act approved February 20, 1907, shall be required to subscribe to the following oath:

FORM 566. DEPARTMENT OF COMMERCE AND LABOR,
IMMIGRATION SERVICE.

I, _____, having been designated by _____ _____ to serve as a member of a board of special inquiry, under the provisions of section 25 of the act of Congress approved February 20, 1907, do solemnly _____ that I will use my best endeavors as a member of such board to enforce the laws of the United States relating to the admission or exclusion of certain classes of aliens, and that I will well and faithfully discharge the duties of the office mentioned.

_____ and subscribed before me this _____ day of _____ _____, A. D. 19__.
[Official seal.]

Attorneys: Fees to be charged by;

Rule 18. *Appearance of attorneys.*—Attorneys and persons appearing in behalf of detained aliens shall not be permitted to charge a sum exceeding ten dollars in each case unless the commissioner or officer in charge shall, in

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Attorneys:

:iting, allow an additional compensation. A family or ırty of aliens traveling together shall be regarded as nstituting a "case" within the meaning hereof. If for ıy special reason an attorney deems himself entitled to larger fee, or if it is actually necessary for such attorney) incur expense in an alien's behalf, he shall report such ıcts to the commissioner or officer in charge when apply- ıg for the privilege of charging an additional fee or laiming reimbursement for expenses, and, if permission s granted, shall collect such additional fee or expenses nly through the commissioner or officer in charge. Any- ne charging an alien a fee prior to his detention, or harging or receiving from an alien or his relatives or friends a fee, gift, or compensation for his services in excess of the above rate, except in the manner provided, or who shall deprive an alien of any part of his chattels or effects in lieu of, or as security for, said fee, will, upon reasonable proof of such misconduct, and after having been allowed a fair opportunity to answer the charge, be disbarred by the Department (to which a full report of the matter shall be made) from practicing at any immigration station of the United States. The names and addresses of attorneys or other persons so disbarred shall be conspicuously posted at the immigration station where the misconduct occurred and their names recorded in the office of the Commissioner-General of Immigration.

Method of disbarring for misconduct;

Keeping record of.

Notice of sailings:

Masters of vessels to give.

Rule 19. *Notice of sailings.*—The master, agent, owner, or consignee of any vessel on which aliens are brought to the United States shall, at least twenty-four hours in advance thereof, notify the commissioner of immigration or officer in charge of the intended time of sailing of such vessel, in order that such officer may place on board the vessel every alien brought thereon who has been finally refused a landing.

Admissions under bond:

Cases in which permissible;

Rule 20. *Admissions under bond.*—If, in following the provisions of Rule 6 hereof relating to appeals, *the board of special inquiry reaches the conclusion* that an alien in whose case a medical certificate for some *physical* defect, other than tuberculosis or a loathsome or dangerous contagious disease, has been rendered *is* excludable solely because such certified physical defect is, in the board's opinion, "of a nature which may affect the ability of such alien to earn a living," or render him liable to become a public charge, but that such alien is otherwise admissible, and, after notice of his right to do so, the alien signifies (within the time specified by Rule 5 hereof) an intention to apply for admission under bond, the board shall not enter an excluding decision against the alien as in other cases, but shall make a special finding of fact in the premises and report the same, including the certificate of the medical examiner, to the immigration officer in charge, who shall forward the report, together with his recommendation, to the Secretary of Commerce

Procedure for;

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Admissions under bond: and Labor, through the Commissioner-General of Immigration. (See secs. 10 and 26 and Rule 6.)

Amount of bond; If, in the exercise of the discretion conferred by law, the Secretary decides to admit the alien, a bond will be required in an amount which in no case shall be less than

Sureties on bond; five hundred dollars. The sureties thereto shall be parties of known and ascertained responsibility and approved by the commissioner of immigration or immigration officer

Bond to be in duplicate; in charge. The bond shall be executed in duplicate on forms supplied by the Bureau, but shall not be accepted until landing of the alien under bond is authorized by the Department.

Procedure if bond not forthcoming. If, within a reasonable time, not to exceed thirty days, after the receipt of the Department's authority for the landing of an alien under bond, there is not forthcoming bond with acceptable sureties, that fact, and all others that may have a bearing upon the matter, shall be reported to the Department, with request for instructions; and if in any such case the former decision of the Department is reversed, the alien shall then be formally rejected by the board.

Japanese and Korean laborers: **Rule 21.** *Japanese and Korean laborers.*—The following rule is promulgated for the purpose of giving effect to an Executive order of the President issued on March 14, 1907, reading:

President's proclamation concerning; Whereas, by the act entitled "An act to regulate the immigration of aliens into the United States," approved February 20, 1907, whenever the President is satisfied that passports issued by any foreign government to its citizens to go to any country other than the United States or to any insular possession of the United States or to the Canal Zone, are being used for the purpose of enabling the holders to come to the continental territory of the United States to the detriment of labor conditions therein, it is made the duty of the President to refuse to permit such citizens of the country issuing such passports to enter the continental territory of the United States from such country or from such insular possession or from the Canal Zone;

And Whereas, upon sufficient evidence produced before me by the Department of Commerce and Labor, I am satisfied that passports issued by the Government of Japan to citizens of that country or Korea and who are laborers, skilled or unskilled, to go to Mexico, to Canada and to Hawaii, are being used for the purpose of enabling the holders thereof to come to the continental territory of the United States to the detriment of labor conditions therein;

I hereby order that such citizens of Japan or Korea, to wit: Japanese or Korean laborers, skilled and unskilled, who have received passports to go to Mexico, Canada or Hawaii, and come therefrom, be refused permission to enter the continental territory of the United States.

It is further ordered that the Secretary of Commerce and Labor be, and he hereby is, directed to take, through the Bureau of Immigration and Naturalization, such measures and to make and enforce such rules and regulations as may be necessary to carry this order into effect.

Subject to general immigration laws; (*a*) Aliens from Japan and Korea are subject to the general immigration laws.

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Japanese and Korean laborers; Limited passports held by;

(*b*) Every Japanese or Korean laborer, skilled or unskilled, applying for admission at a seaport or at a land-border port of the United States and having in his possession a passport issued by the Government of Japan, entitling him to proceed only to Mexico, Canada, or Hawaii, shall be refused admission.

Presumptions concerning;

(*c*) If a Japanese or Korean laborer applies for admission and presents no passport, it shall be presumed (1) that he did not possess when he departed from Japan or Korea a passport entitling him to come to the United States, and (2) that he did possess at that time a passport limited to Mexico, Canada, or Hawaii.

Passports to U. S. or unlimited;

(*d*) If a Japanese or Korean alien applies for admission and presents a passport entitling him to enter the United States or one which is not limited to Mexico, Canada, or Hawaii, he shall be admitted, if it appears that he does not belong to any of the classes of aliens excluded by the general immigration laws.

Evidence as to status of;

(*e*) If a Japanese or Korean alien applies for admission and presents a passport limited to Mexico, Canada, or Hawaii, and claims that he is not a laborer, either skilled or unskilled, reasonable proof of this claim shall be required in order to permit him to enter the United States.

Appeal by;

(*f*) When a Japanese or Korean alien is rejected as being a skilled or unskilled laborer holding a passport limited to Mexico, Canada, or Hawaii, he shall be allowed the right of appeal to the Secretary of Commerce and Labor under the same conditions as attach to aliens rejected under the general immigration laws.

Arrest of;

(*g*) If a Japanese or Korean skilled or unskilled laborer is found in the continental territory of the United States without having been duly admitted upon inspection, the procedure employed under the general immigration laws for the arrest and hearing of aliens who have entered the United States surreptitiously shall be observed, to the end that the right of such alien to be and remain in the United States may be determined; and if it shall appear that such alien falls within the class excluded by the foregoing Executive order, and has entered the United States since the 14th of March, 1907, the said alien shall be deported according to the provisions of sections 20, 21, and 35 of the act of Congress approved February 20, 1907.

Deportation of;

Right of, to communicate with diplomatic officers;

(*h*) In case any Japanese or Korean is detained or denied admission by virtue of the foregoing Executive order, he shall, in addition to being informed of his right of appeal to the Secretary of Commerce and Labor, be advised that he may communicate by telegraph or otherwise with any diplomatic or consular officer of his Government, and shall be afforded opportunities for so doing.

Courtesy and consideration due to;

(*i*) The officials of the Department charged with the enforcement of the immigration laws are instructed that in the execution of this rule scrupulous care shall be

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Japanese and Korean laborers:

taken to see that the courtesy and consideration which the Department requires in the case of all foreigners, of whatever nationality, are shown to those affected by this rule. All officers of this Department are hereby warned that no discrimination will be tolerated, and that those coming under this rule must be shown every courtesy and consideration to which the citizens of most favored nations are entitled when they come to the United States.

Definition of term "laborer, skilled and unskilled;"

(*j*) For practical, administrative purposes, the term "laborer, skilled and unskilled," within the meaning of the Executive order of March 14, 1907, shall be taken to refer primarily to persons whose work is essentially physical, or, at least, manual, as farm laborers, street laborers, factory hands, contractors' men, stable men, freight handlers, stevedores, miners, and the like; and to persons whose work is less physical, but still manual, and who may be highly skilled, as carpenters, stone masons, tile setters, painters, blacksmiths, mechanics, tailors, printers, and the like; but shall not be taken to refer to persons whose work is neither distinctively manual nor mechanical, but rather professional, artistic, mercantile, or clerical, as pharmacists, draftsmen, photographers, designers, salesmen, bookkeepers, stenographers, copyists, and the like. The foregoing definition is subject to change, and will not preclude the Secretary of Commerce and Labor from deciding each individual case which comes to him by way of appeal in accordance with the particular facts and circumstances thereof.

Indorsement of passports.

(*k*) Passports presented by Japanese and Koreans shall be plainly indorsed, in indelible ink, by the officer admitting or rejecting the applicant, in such a manner as to show the fact and date of admission or rejection, the name of the officer being signed to such indorsement; after which the passport shall be returned to the person by whom presented.

Seamen:

Rule 22. In consideration of the necessities of commerce and navigation, it has been held that foreign seamen arriving at the ports of the United States, and landing therein in the pursuit of their calling, are not ordinarily within the operation of the immigration act (23 Op. Atty. Gen., 521; 207 U. S., 120). But in order that this exemption shall not avail to permit the introduction into the United States of aliens excluded therefrom by the said act, it is necessary to observe the following distinctions between foreigners who are seamen and other aliens:

Why examination of necessary;

Who are seamen;

A seaman is any person employed to serve in any capacity on board any vessel plying between foreign ports and ports of the United States, whose occupation consists in following the sea, and who lands in the United States with no intention of remaining, and not otherwise than on shore leave, or on the business of his vessel, or for the purpose of reshipping.

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Seamen:

In coastwise trade;

Aliens, members of the crew of vessels engaged in the coastwise trade of the United States, are aliens within the meaning of the immigration act and subject to its provisions (Ops. Solr., June 14, 1907, and Sept. 16, 1907).

Discharged;

Aliens, though members of the crew of vessels engaged in the foreign trade, if their employment terminates at the end of the voyage to the United States, or if discharged in a port of the United States, are to be treated as seamen only if it appears that they intend to reship on a vessel bound to a foreign port, or to depart from the country within a reasonable time.

Deserting;

Aliens, though members of the crew of vessels engaged in the foreign trade, if they desert their ship, shall, until the contrary is shown, be deemed to have abandoned their calling, and to be no longer seamen, within the meaning of this rule.

Found in United States otherwise engaged;

Aliens, though landing in the United States as seamen, if found thereafter engaged in any occupation not connected with the business of a vessel to which they are attached, or if found to be public charges, shall be treated as other aliens are treated, and shall be liable to deportation in like manner and for like causes.

Application of act to;

In the application of the immigration act to aliens, members of the crew of vessels engaged in the foreign trade of the United States, the following instructions will be observed:

General procedure regarding—

To what extent examined;

(*a*) Aliens coming to the United States as members of the crew of any vessel, who are found to be seamen as herein defined, shall not be examined by officers of the Immigration Service further than may be necessary to determine their status as seamen, and to ascertain that they are not insane, idiots, imbeciles, epileptics, or persons afflicted with tuberculosis or with a loathsome or dangerous contagious disease; head tax shall not be certified on their account; they shall not be prevented from landing temporarily in the United States, nor required to land at any designated time or place; neither shall any manifest of them be required, nor shall they necessarily be returned to the country whence they came by the vessels bringing them. Alien seamen, however, who are insane, idiots, imbeciles, epileptics, or persons afflicted with tuberculosis or with a loathsome or dangerous contagious disease, and the existence of whose disease or disability might have been detected by means of a competent medical examination at the time of foreign embarkation, are persons whose employment on board vessels is in nowise necessary to commerce and navigation, and who are, accordingly, not within the exception in favor of seamen, because not within the reason thereof. The bringing of such seamen to the United States, therefore, is unlawful by the terms of section 8.

If mentally or physically afflicted, not considered *bona fide;*

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Seamen:

All seamen to be primarily inspected;

(*b*) All aliens coming to the United States as members of the crew of a vessel, who, for any of the reasons hereinbefore mentioned, are found not to be seamen as herein defined, shall in no respect be distinguished, by reason of their present employment, from other aliens seeking admission into the United States; but it shall be the duty of the inspectors and medical officers detailed for the purpose to determine whether such aliens are clearly and beyond doubt entitled to land, and to hold for examination by a board of special inquiry such as are not so entitled, and to follow the same procedure as in the case of alien passengers seeking to land, including the certification of head tax on account of those landed.

If not *bona fide*, must not be landed;

(*c*) In case any alien employee of a vessel is found by the immigration officials not to be a *bona fide* seaman seeking to land in the pursuit of his calling, and is declared by such officials inadmissible under the immigration act, the master, owner, agent, or consignee of such vessel will be required, subject to the penalties imposed by said act, to prevent the landing of such inadmissible alien and to return him to the country whence he came.

Head tax not assessable on if *bona fide;*

(*d*) Head tax shall not be assessed on account of *bona fide* seamen landing in the pursuit of their calling. On account of such as are discharged with the intent to remain in the United States, and on account of those who are found or shown to have deserted and remained in the United States, the head tax shall be assessed.

Manifests of not *bona fide;*

(*e*) Of such aliens employed on board vessels as are found by the immigration officials not to be *bona fide* seamen, or not to be seeking to land in the regular course of their pursuit with intent to continue their calling, the immigration officials shall prepare lists, in lieu of manifests, for use in compiling statistics, indicating in such lists that the alien applicants therein enumerated arrived at the port as employees of a vessel.

Procedure if ill and law of vessel's country requires return home;

(*f*) If, upon the arrival of a vessel from a foreign port, it is discovered that any alien member of the crew of such vessel is ill or disabled to such an extent as to make it obligatory upon the master of the vessel, under the navigation laws of the country to which the vessel belongs, to return the seaman to the country where he embarked, immigration officials shall confer with the master and with the consular representative of the country to which the vessel belongs, with the object of perfecting plans by which the master may be able to observe the laws of his own country without making possible or encouraging a violation of the immigration laws of the United States. If the disabled seaman relinquishes his calling, he shall be treated like any other alien seeking admission to the United States; and if, upon being brought before a board of special inquiry, his rejection

Care to be exercised concerning, when ill and allowed transit;

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Seamen:

is ordered the master of the vessel shall be required to return him by such vessel, or at his own expense, to the country where he embarked. If the seaman does not relinquish his calling, or if the master desires to return him otherwise than by the vessel on which he arrived, it will be permissible for him to pass through the United States, in transit to the country where he embarked, by the most expeditious and direct route: *Provided*, That (if he is suffering with a loathsome or dangerous contagious disease, or with tuberculosis, or is in such physical or mental condition as to render him a person likely to become a public charge or otherwise inadmissible) arrangements are made for his proper care while passing through the country, and a sum of money sufficient to defray the expenses thereof is furnished by the master of the vessel. This being a provision made in the interest of trade, and because of the peculiar position occupied by seamen under principles of international comity, immigration officials shall exercise care to insure a thorough understanding with all parties concerned, that violations of the immigration laws may be provided against, and that the spirit of foreign laws may be observed.

Special procedure concerning, to be followed in lieu of general procedure if agreed to by vessel—

(*g*) With a view to the more efficient enforcement of the immigration law with respect to foreign crews, and for the greater convenience both of officers of the Immigration Service and of the commercial interests involved, the following special procedure will be observed in cases where the master, agent, owner, or consignee of any vessel engaged in the foreign trade of the United States shall give satisfactory assurances of ability and willingness to comply with the conditions thereof:

Mental and physical examination of, at foreign ports;

1. The master, owner, agent, or consignee of any such vessel shall enforce at its foreign ports of departure and call a rigid medical examination of aliens seeking employment on such vessel which will insure the rejection of any and all applicants suffering with any mental or physical affliction which would make them inadmissible to the United States under section 2, or would render the vessel liable to the fine mentioned in section 9 of the immigration act. Any failure on the part of any vessel to enforce such a medical examination in the case of any member of the crew, coming to the knowledge of an officer of the Immigration Service, shall be promptly reported to the Department for appropriate action.

Report of prospective discharge of, in United States ports;

2. In any case in which an alien seaman is not employed or articled for the return trip voyage to and away from the United States, and in any case in which it becomes necessary for any reason to discharge an alien member of a crew, the master, owner, agent, or consignee of the vessel shall notify the commissioner of immigration or the immigrant inspector in charge at the port of such necessity in due season to permit the inspection and examination of such alien under the provisions of the immigration act.

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Seamen:
Regulation of shore leave, and reporting suspicious cases of;

3. Masters, owners, agents, and consignees of such vessels shall enforce in the ports of the United States regulations on the subject of shore leave which will prevent as far as possible the permanent landing of alien members of the crew before inspection by the immigration authorities. They shall, also, furnish the immigration authorities with the names of aliens employed on their vessels of the *bona fides* of whose intention to follow the sea they have any reason to doubt, and shall afford opportunity for the inspection of such aliens; and, except by express permission of the Immigration Service, they shall under no condition grant shore leave or permit the landing of alien seamen who are insane, idiots, imbeciles, epileptics, or persons afflicted with tuberculosis or with a loathsome or dangerous contagious disease.

Reporting desertions of, and apprehending deserters;

4. When desertions occur, the master, agent, owner, or consignee of the vessel shall promptly notify the local immigration authorities of the name and description of the deserter, and any other information obtainable which would aid in the apprehension of such deserter, to the end that he may be returned to the vessel for conveyance to the foreign port of shipment.

Presumptions in favor of vessels under special procedure.

Where the foregoing conditions have been faithfully complied with, and satisfactory evidence thereof has been presented, of the sufficiency of which the Secretary of Commerce and Labor shall be the sole judge, the master, agent, owner, or consignee will be deemed to have provided a "competent medical examination" of the vessel's crew at the time of foreign embarkation within the meaning of section 9, and will be deemed to have taken reasonable precautions to prevent the landing of alien members of the crew within the meaning of section 18; and the special procedure prescribed in the several articles of this paragraph (*g*) will be followed.

Stowaways:
To be treated like other aliens.

Rule 23. *Stowaways.*—The Immigration Act contains no provision expressly relating to stowaways. Such persons must be dealt with, therefore, if they seek admission to the United States, precisely as other aliens are dealt with.

Alien stowaways must be reported and manifested by the masters of vessels, immediately upon arrival at a port of the United States, in the same manner as other aliens: *Provided, however*, That the name of every such person shall be followed by the word "stowaway." Head tax shall be certified on their account, and they shall be examined under the Immigration Act touching their right to enter the United States.

Ports of entry, Canada:
List of.

Rule 24. *Ports of entry, Canada.*—In accordance with section 36, the following are named as Canadian border ports of entry for aliens; and any alien who enters the United States across such border at any other point shall be deemed to have entered the country unlawfully, and

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shall be arrested and deported under sections 20, 21, and 35 of said act, in the manner provided by Rule 34 hereof: Eastport, Calais, Vanceboro, Fort Kent, Fort Fairfield, Van Buren, Houlton, and Lowelltown, Me.; Beechers Falls, N. H.; Island Pond, Newport, Richford, St. Albans, Swanton, and Alburg, Vt.; Rouses Point, Malone, Fort Covington, Nyando, Ogdensburg, Morristown, Clayton, Cape Vincent, Charlotte, Olcott, Lewiston, Niagara Falls, and Buffalo, N. Y.; Cleveland and Toledo, Ohio; Detroit, St. Clair, Port Huron, and Sault Ste. Marie, Mich.; Chicago, Ill.; Duluth, Ranier, International Falls, Warroad, Beaudette, and Noyes, Minn.; Pembina, Neche, Walhalla, Portal, and St. John, N. Dak.; Sweet Grass and Gateway, Mont.; Porthill and Eastport, Idaho; Marcus, Oroville, Sumas, and Blaine, Wash.

Canadian agreement:

Rule 25. *Admission and exclusion, Canadian ports.*— In view of the agreement between the various steamship and railroad companies in the Dominion of Canada and the Commissioner-General of Immigration of the United States of America, inspection and entry of aliens into the United States from foreign countries, through Canadian territory, under the Immigration Act, will be accomplished in accordance with the following provisions:

Admission under;

(*a*) All aliens arriving in Canada, destined to the United States, shall be inspected at any one of the following ports: Halifax, Nova Scotia; Quebec and Point Levi, Quebec; St. John, New Brunswick; and Vancouver and Victoria, British Columbia; and the holders of certificates, duly signed by the United States commissioner of immigration for Canada, shall be entitled to admittance to the United States, at any one of the places of entry along the border thereof named in Rule 24, without further examination by the United States immigration officers as to their right to enter, upon their identification and their surrender of said certificates to such officials.

Seaports of inspection;

Certificates of admission;

(*b*) The said certificates shall be in the following form:

Alien certificate. No. ____

Form of;

FORM 524. DEPARTMENT OF COMMERCE AND LABOR,
IMMIGRATION SERVICE,

_____, ____.

This is to certify that _____, a native of _____, who arrived at the port of _____ per steamship "_____," on the _____, 19__, has been duly inspected and registered, and will be admitted into the United States upon proper identification and surrender of this certificate to any immigration officer at the frontier.

The description of the holder is as follows: Age, _____; height, _____; weight, _____; color of hair, _____; color of eyes, _____.

Remarks: [Note destination, etc.]_____

_____,
U. S. Commissioner of Immigration.

Surrendered at _____, to Inspector _____
_____, 19__.

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Canadian agreement:

Seaport examination by inspectors and boards;

(*c*) The examination at Canadian ports of all aliens destined to the United States shall be similar in all respects to that conducted at ports of the United States. Such aliens as, in the opinion of the examining inspector, are not clearly entitled to admission shall be taken before a board of special inquiry, the decision of which shall be final, unless reversed upon appeal, as provided for in section 25.

Deportation of rejected aliens;

(*d*) All aliens arriving at Canadian seaports, destined to the United States and who may be adjudged inadmissible thereto, shall be refused the certificates herein called for, and the steamship company bringing such aliens to such Canadian seaport shall be required to return them to the countries from which they respectively came.

Manifests of incoming passengers;

(*e*) The masters, owners, or agents of vessels bringing aliens to Canadian ports, destined to the United States, shall be required to furnish to the United States immigrant inspectors in charge at such ports complete manifests and alphabetical books of all alien passengers arriving upon vessels of their respective lines, and, in addition thereto, complete manifests of all alien passengers destined to the United States such as are now required by law in the cases of vessels bringing aliens to the ports of the United States; and the said masters, owners, or agents shall pay to the United States commissioner of immigration for Canada the sum of four dollars for each and every alien brought to a Canadian port and destined to the United States: *Provided*, That no head tax shall be levied against or collected from Canadian steamship lines on aliens brought to Canada, destined to the United States, who are shown to belong to any one of the excluded classes and who are returned to the country whence they came. In addition to the foregoing, the Canadian steamship companies will furnish to the United States commissioner of immigration for Canada (for transmission to the Commissioner-General of Immigration) manifests of all passengers not citizens of the United States leaving the United States and proceeding by the vessels of such companies to foreign ports, as required in the cases of United States transportation companies by section 12.

Payment of head tax;

Manifests of outgoing passengers;

Certificates of admission;

(*f*) All aliens of the class upon whom head tax is chargeable not provided with certificates of the character described in paragraph (*a*) hereof who shall apply at the border between Canada and the United States within one year after arriving at a Canadian port shall be required to return to such port, or to any one of the ports designated in paragraphs (*a*) and (*f*) hereof, for guaranty of payment of head tax, examination, and the procurement of the certificate described in paragraph (*a*): *Provided*, That aliens destined in good faith to Canada, and who shall have settled at some point in the Dominion of Canada, who shall apply as above for admission to the United States within one year after arrival in Can-

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ada, shall be examined by the boards of special inquiry located at any one of the following points: Yarmouth, Nova Scotia; Montreal, Quebec; Newport, Vt.; Buffalo and Suspension Bridge, N. Y.; Detroit, Port Huron, and Sault Ste. Marie, Mich.; Duluth, Minn.; Winnipeg, Manitoba; Portal, N. Dak.; Sweet Grass, Mont.; and Sumas and Blaine, Wash. That the decisions of the said boards of special inquiry shall have the same force and effect as decisions rendered by boards of special inquiry at seaports of the United States. That the various steamship lines shall return at their own expense, from some seaport of the Dominion of Canada or of the United States, as they may deem most practicable and may elect, to the trans-Atlantic or trans-Pacific country whence the aliens came, those aliens coming within the provisions of this paragraph who are shown to belong to any of the excluded classes mentioned in section 2, whenever in the judgment of the Secretary of Commerce and Labor the deportation of such aliens in the manner described is deemed necessary to safeguard the interests of the United States.

Canadian agreement: Extra boards; Effect of board decision; Deportation of aliens rejected by boards;

(*g*) All facilities in the way of accommodations, access to aliens, and the keeping of aliens apart from the public until after inspection shall be afforded to the immigrant inspectors of the United States at the Canadian ports of landing to enable them to make such inspection as is required by the laws of the United States.

Facilities at seaports;

(*h*) It is expected that the railway and other transportation companies in the Dominion of Canada will not sell to any aliens en route to any part of the United States tickets for their transportation, or transport them in cars or vessels from the port of entry, until after they have exhibited their certificates as herein provided, and will not knowingly transport into the United States any rejected or undesirable aliens or those who are by law prohibited from entering said country, but will return the rejected aliens to the ports at which they arrived. All aliens on account of whom the transportation companies are exempted from payment of head tax, who proceed to the border between the United States and Canada without having first been examined and granted a certificate of admission of the character described in paragraph (*a*) hereof, and who may be excluded by a border board of special inquiry, shall be returned by the transportation company carrying said aliens to the border a reasonable distance in Canada from said border. Aliens of the class last above mentioned carried to a border point where there is no board of special inquiry shall be returned and conveyed for examination to the nearest point at which a board of special inquiry is located.

Certificates of admission; Prerequisite to transportation; Returning aliens not holding certificates of admission; Examination before boards;

(*i*) The various steamship lines, parties to the Canadian agreement, shall return at their own expense, at any time within three years from the date of landing in

Deportation of excluded and deportable classes;

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Canadian agreement:

Canada, from some Canadian port, or when that is not practicable from some port of the United States, such aliens as, having been brought into the Dominion of Canada upon their respective lines and having subsequently proceeded to the United States, are shown to belong to any one of the excluded or deportable classes mentioned in the act of Congress approved February 20, 1907, whenever deportation of such an alien is ordered by the Secretary of Commerce and Labor.

Application of regulations to aliens coming through Canada;

(*j*) The immigration regulations adopted by the Department of Commerce and Labor relating to the examination of aliens at ports of the United States shall apply, in so far as may be practicable, to the inspection of aliens coming through the Dominion of Canada destined to the United States.

Guaranteeing payment of head tax;

(*k*) All aliens of the taxable class seeking to enter the United States from Canada or Newfoundland shall be denied examination under the United States immigration laws (except to a sufficient extent to determine their liability for head tax) until they present to the examining officer or officers a certificate from a duly appointed agent of the transportation company bringing such aliens to the border, guaranteeing that responsibility for the payment of head tax on account of such aliens will be assumed by said transportation company, certificate guaranteeing payment of head tax being returnable to the applicant for admission in the event of his exclusion, such certificate before its return to the alien to have the word "Rejected" stamped or written in red ink across its face.

Returning head-tax certificate;

Disposition of head tax collected in Canada;

(*l*) All moneys collected as provided in paragraph (*e*) hereof shall be transmitted by the United States commissioner of immigration for Canada to an assistant treasurer of the United States in the same manner as other miscellaneous collections are reported by collectors of customs of the United States, to be deposited to the credit of the Treasurer of the United States on account of the "immigrant fund." Statement of such receipts, under this agreement, must be rendered monthly to the Secretary of Commerce and Labor, on forms provided for that purpose.

Commissioner bonded;

(*m*) Said United States commissioner of immigration for Canada shall give bond to the United States in the sum of ten thousand dollars, with sureties approved by the Secretary of Commerce and Labor, conditioned for the faithful discharge of his duties and the remittance of above collections. He shall make monthly reports to the Commissioner-General of Immigration, upon blanks to be furnished by the Department of Commerce and Labor, of all aliens arriving at stations under the jurisdiction of the said commissioner of immigration.

Reports from Canadian border.

(*n*) United States officers charged with the execution of the immigration laws and regulations along the Canadian border will, at the end of each month and from time to time as may be required, report in writing to the United States commissioner of immigration for Canada,

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upon blanks to be prescribed by him, the number of aliens passing through their respective ports of entry and the Canadian ports at which they landed, and the said commissioner of immigration for Canada will make to the Commissioner-General of Immigration similar reports in consolidated form, comprising both ocean and border ports.

Ports of entry, Mexico: List of.

Rule 26. *Ports of entry, Mexico.*—In accordance with section 36, the following are named as Mexican border ports of entry for aliens, and any alien who enters the United States across such border at any other point shall be deemed to have entered the country unlawfully, and shall be arrested and deported, under sections 20, 21, and 35 of said act, in the manner provided by Rule 34 hereof: Brownsville, Hidalgo, Laredo, Eagle Pass, Del Rio, and El Paso, Tex.; Douglas, Naco, and Nogales, Ariz.; and Andrade, Campo, Calexico, and Tia Juana, Cal.

Mexican border: Inspection along;

Rule 27. *Admission and exclusion, Mexico.*—Aliens applying for admission at the Mexican border ports of entry named in Rule 26 are subject to examination in the same manner and to the same extent as though arriving at seaports, except in the following particulars:

Blanks to be used in collecting statistics and head tax;

(*a*) In the cases of aliens who are brought to said ports by a transportation or bridge company statistical data shall be gathered and information as to the manner in which head tax, if taxable, is to be assessed indicated by the use of a blank form reading as follows:

Report of inspection.

FORM 548. DEPARTMENT OF COMMERCE AND LABOR,
IMMIGRATION SERVICE, Serial No. ____
MEXICAN BORDER DISTRICT,

Manifest List No. ____
Line _____ PORT OF _____,
Arrived via_____ (*Date*)_____, *19*__

Personal description.						Place of birth.
Height.		Complexion.	Color of—		Marks of identification.	
Feet.	Inches.		Hair.	Eyes.		
						
						

Name, _____; Accompanied by _____; Sheet No. __; Age, __;
Sex, __; Married or single, __; Occupation, __; Read, __; Write, __;
Nationality, _____; Race, _____; Last residence, _____;
Name and address of nearest of kin in country from whence alien came, _____
Final destination, _____; Ticket, _____; Passage paid by_____
Money, _____; Ever in U. S.?_____; Where?_____; When?_____;
Going to join _____; Name and address, _____
Ever in prison, etc.?_____; Polygamist, _____;
Anarchist, _____; Contract laborer, _____;
Health _____; Transit _____;
Head tax assessable aganist _____
Action by primary inspector _____

Immigrant*
Statistical*
Nonimmigrant*
Nonstatistical*

_____,
Inspector.
_____,
Interpreter.

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Mexican border:

CHARACTER OF HEAD TAX ASSESSED.

Straight* Special deposit* (Rule No. __) Refund certified† ___

ACTION BY BOARD OF SPECIAL INQUIRY.

Hearing held Serial No. ____
_____† Admitted_____* Deferred, _____
_____† Debarred_____* Cause, _____

ACTION BY DEPARTMENT.

Appeal: Sustained__† Dismissed__† Authority__ Received__†
Domicile: Allowed____† Denied_____† Authority__ Received__†
Bond: Granted____† Denied_____† Authority__ Received__†
Final action (character of), _____ Date, _____
Detained (cause), _____from_____to_____, incl.

*Strike out inappropriate headings. †Insert date.

Use of above blank;

(*b*) The above blank shall be used by every officer of the immigration service making examinations of aliens brought to Mexican border ports by transportation or bridge companies, and shall be filled out completely in each case and delivered to the inspector in charge at the port of entry, who will thereupon compile from such forms a detailed notice to the collector of customs, upon blanks which will be provided, reading as follows:

Blanks for reporting aliens subject to head tax;

Statement of aliens subject to head tax.

FORM 549. DEPARTMENT OF COMMERCE AND LABOR,
IMMIGRATION SERVICE,
MEXICAN BORDER DISTRICT.

OFFICE OF _____,
PORT OF _____,
_____, *19__*

COLLECTOR OF CUSTOMS,

SIR: I hereby certify that head tax has been incurred by [a] _____ on account of alien passenger arriving by _____on this date, and duly admitted:

Alien subject to head tax at $4 each, as follows:

_____ $_____

Amount to be deposited on account of alien in transit (Rule 41) and held as special deposit (Treasury decision 24439), as follows: [b]

_____ $_____

Amount to be deposited on account of alien held for examination by board of special inquiry (Rule 1) and held as special deposit: [b]

_____ $_____

Total $_____

(Name.)

(Title.)

[a] Give train number and state mode of transportation.
[b] Names of aliens and their manifest numbers must be given.

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(*c*) In the cases of taxable aliens who cross the border by other than regular (bridge or railway) transportation as a preliminary to regular examination under the laws, such alien shall be questioned only sufficiently to determine with precision whether, in the event that full examination should show him to be admissible, he is in financial condition to pay the four dollars head tax. If found to be in possession of sufficient funds in this respect, the examination may be completed, and if the alien is found eligible he shall be required to pay the head tax before being permitted to land; the blanks above given to be used for the purpose of certifying the head tax to the collector of customs.

Mexican border: Examination concerning funds in alien's possession.

Rule 28. *Fine, bringing of diseased aliens.*—As a means of enforcing the collection of any fine imposed under the provisions of section 9 of the Immigration Act, the said section directs the refusal of clearance papers to any vessel bringing an alien diseased as described therein to a port of the United States. To avoid, on the one hand, the denial of reasonable time to the master, agent, owner, or consignee to show cause why such fine should not be imposed and, on the other hand, the loss of the summary and effective means provided for the collection of such fines, the following instructions will be observed:

Fines: *On account diseased aliens*— Manner of imposing;

(*a*) The certificate of the medical examiner in the case of an alien afflicted with a loathsome or dangerous contagious disease shall state in terms whether, in his judgment, the "existence of such disease might have been detected by means of a competent medical examination at the port of foreign embarkation."

Medical certificates;

(*b*) Upon the receipt of a medical certificate in compliance with the preceding paragraph hereof, the commissioner of immigration or inspector in charge at the port of arrival shall *at once* serve notice upon the master, agent, owner, or consignee of the vessel upon which such alien arrived in the following form, printed blanks for that purpose to be procured from the Department, viz:

Notification;

Notice of liability for fine on account of bringing diseased alien to the United States.

Form of notice;

FORM 507. DEPARTMENT OF COMMERCE AND LABOR,
IMMIGRATION SERVICE,
[Prepare in triplicate.] OFFICE OF_____,
PORT OF_____,
_____, 19__

To_____
_____ of the steamship _____
[Master, agent, owner, or consignee.]

In conformity with the requirements of Rule 28 of the Immigration Regulations, you are hereby notified that the certificate of the examining surgeon, based upon a physical examination of the alien whose name is shown herein, indicates that a fine should be

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Fines: imposed under the provisions of section 9 of the Immigration Act approved February 20, 1907.

On account diseased aliens— If you desire a hearing as to whether a fine should be imposed in this instance, you will be allowed sixty days from the date of this notice for that purpose, and the vessel on which the said alien arrived will be granted clearance papers when she is ready to sail and allowed to proceed upon her outward-bound voyage, upon condition that you deposit with the collector of customs at this port, prior to her sailing, the sum of one hundred dollars as security for the payment of the said fine, should it be imposed.

Name of alien.	Steamship.	Disease.
----------	----------	----------

[Name.]

[Official title.]

Received the above notice ----------, 19--, at ---------- M.
[Time.]

(Witness:)

Disposition of notice; (*c*) The notification shall be prepared in triplicate, the original to be delivered by an employee of the Immigration Service at the office of the master, agent, owner, or consignee to whom it is addressed, said employee to witness the signature of the recipient. Receipt of service shall be indorsed upon the duplicate and triplicate, the duplicate to be returned to the office of the commissioner of immigration or inspector in charge and preserved as proof of delivery, and the triplicate to be delivered to the collector of customs, who will withhold clearance papers until the deposit is made.

Deposit; (*d*) The special deposit of one hundred dollars required to stay action for the period of sixty days shall be made to the collector of customs for the district wherein the port of arrival is located before such sailing, and in default thereof all further proceedings shall be discontinued and the facts certified to the Bureau of Immigration and Naturalization by first mail, together with the medical certificate and duplicate notice, in order that such action may be taken as the evidence requires.

Stay of action; (*e*) If, after service of the notice as provided in paragraph (*b*) of this circular, the deposit of one hundred dollars has been made in conformity with the said notice, the commissioner of immigration or inspector in charge shall suspend further proceedings until the submission of the evidence offered to show why the said fine should not be imposed, or until the lapse of the specified period of sixty days thereafter. When the said evidence has been submitted it shall be forwarded, together with the certificate of the examining surgeon and duplicate notice, to the Commissioner-General of Immigration, for presentation to the Secretary of Commerce and Labor, by the said commissioner or inspector in charge, who shall at the same time present his written views as to whether the said fine should be imposed. If no evidence is submitted prior to the expiration of the said sixty days, then said commissioner or inspector in charge shall report the case,

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without such evidence, for action by the Secretary of Commerce and Labor.

Fines: *On account diseased aliens*—Final proceedings.

(*f*) Upon receipt of the decision of the Secretary of Commerce and Labor, a copy thereof shall be forwarded to the collector of customs, together with such data as may enable him to identify the special deposit made in that particular case. If the said decision imposes the fine, the one hundred dollars deposited as security shall be accounted for by the said collector in the usual manner as a fine; if the decision holds that the penalty has not been incurred, the collector of customs shall return to the depositor the amount deposited as security.

For nonmanifesting—

Rule 29. *Fine, failure to deliver manifests.*—If the master or commanding officer of any vessel bringing aliens to a United States port fails to deliver to the immigration officers at such port lists or manifests, as required by sections 12, 13, and 14, and it therefore becomes necessary to collect the fine imposed by section 15, the following instructions shall be observed:

Notice and procedure as to incoming passengers; Procedure for protesting collection;

(*a*) Written notice, clearly setting forth the particulars in which the lists or manifests are deficient, shall be served upon the steamship company concerned, allowing such company the period of sixty days from date of notice within which to place before the Department, through the local immigration officials, such evidence, if any, as said company may possess to show cause why the statutory penalty should not be collected. Copies of such notices and the responses thereto shall be kept of record, and shall be forwarded to the Department in the event the collection of the penalty is protested; and in no protested case shall suit be instituted to enforce collection until the Department has rendered a decision directing that collection be made.

Notice as to outgoing passengers;

(*b*) Similar notice shall be given by collectors of customs as a preliminary to collecting fines for failure to promptly furnish manifests of outward-bound alien passengers. (See Rule XXIX, statistical regulations.)

Can not be remitted;

(*c*) Under an opinion of the Attorney-General, the fine mentioned in this rule can not be remitted. (25 Op. At. Gen., 336.)

Aggregate not to exceed $100, in cases departure;

(*d*) In no case covered by this rule shall the aggregate amount of fines collected in any one instance of departure of a vessel exceed one hundred dollars.

Exemption on account diplomatic and consular officers;

(*e*) The detailed statistical information required under section 12 of the Immigration Act and section 1 of the naturalization act of June 29, 1906, shall not hereafter be required to be furnished in the cases of diplomatic and consular officers, and other officials duly accredited by their governments, together with their suites, families, and guests, coming to the United States or in transit. The names of all such diplomatic and consular representatives and their suites, families, and guests, with their respective titles, should, however, appear grouped together upon the manifest.

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Fines:
For nonmanifesting—
Questioning aliens concerning items lacking in manifests.

(*f*) As an additional precaution, all aliens examined at ports of entry, concerning whom complete information is not furnished in the manifests, should be questioned as to whether demand was made upon them by the representatives of the steamship company at the port of foreign embarkation for the items of information that are lacking; and in case such answer is in the negative, the affidavit of the alien shall be taken and filed for future reference if required.

Certificate of surgeon, regarding aliens aboard vessel:
What acceptable.

(*g*) The certificate (unverified) of a responsible surgeon located at the point of embarkation or at the last port of call, prepared in the form appearing upon the reverse side of the manifest (Form 1500), shall be accepted as a sufficient compliance with section 14 requiring that when no surgeon sails with a vessel bringing aliens to the United States, the mental and physical examination of such aliens shall be made by "some competent surgeon employed by the owners of the said vessel."

Manifests:
Alphabetical indexes of.

(*h*) There will be furnished to the steamship company by the Bureau of Immigration and Naturalization blank books suitable for use in the preparation of alphabetical indexes of manifests.

Fines:
Method of reporting when U. S. attorney requested to prosecute.

Rule 30. *Fines, reporting of.*—The following method will be observed in reporting fines incurred under the immigration laws:

(*a*) Commissioners of immigration or inspectors in charge will, in all cases wherein a United States attorney is requested to institute proceedings for the recovery of prescribed penalties or to undertake criminal prosecution of an alleged offender against the immigration laws, make a report at the same time to the collector of customs for the district in which the offense was alleged to have been committed. Said report shall be rendered in every case which may arise, irrespective of the possible outcome of any legal proceedings, and shall embrace the following: (1) Date when offense was committed; (2) act, and section thereof, violated; (3) nature of offense; (4) name of offender; (5) nationality, kind, and name of vessel; (6) statutory amount of fine; (7) date of reporting case given to each violation.

(*b*) Upon receipt of the above reports, the collector of customs will give each case a number in chronological order. When more than one section of a statute is violated by the same vessel, a separate case number will be given to each violation.

(*c*) At the close of each month, collectors of customs will render reports in the same manner as in the case of navigation and steamboat-inspection fines, viz: All fines incurred during the month must be reported on Form Cat. No. 1078, showing, under the heading "Remarks," the date when the case was reported to the United States attorney.

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(*d*) All fines disposed of during the month must be reported on Form Cat. No. 1006. In connection with this form, the account current (Form Cat. No. 1000) must be used.

(*e*) At the close of June and December in each year, semiannual reports, on Form Cat. No. 1079, must be rendered, showing all unsettled cases on hand and explaining the cause of delay in disposing of them.

RULES RELATING TO DEPORTATION.

Rule 31. *Deportation, aliens subject to.*—Aliens of the following classes are subject to arrest, upon the warrant of the Secretary of Commerce and Labor, and to deportation to the country whence they came, at any time within three years after landing or entry: Deportation, aliens subject to:

(*a*) Aliens who, at the time of entry, belonged to any of the classes of persons enumerated and defined in section 2 of the Immigration Act or in the Executive order of March 14, 1907, and who should, therefore, have been then excluded. (Secs. 20, 21.) Members excluded classes;

(*b*) Aliens who become public charges from causes existing prior to landing. (Sec. 20.) Public charges;

(*c*) Alien women or girls who are found to be inmates of a house of prostitution or practicing prostitution. (Sec. 3.) Prostitutes;

(*d*) Aliens who are found to have entered the United States at any other place than at the seaports thereof or at one of the ports or places designated in Rules 24 and 26 hereof, and aliens found to have entered at a seaport, but at any time or place other than as designated by the immigration officers. (Secs. 18, 36.) Those entering surreptitiously.

Rule 32. *Public charges from prior causes.*—The case of every alien found to have become a public charge from causes existing prior to landing should be reported to the immigration officer stationed nearest the place where the alien is confined. This report *must be accompanied by*— Public charges from prior causes: Reporting cases of;

(1) An unequivocal certificate (Form 534) of the *principal medical officer* of the institution of which the alien is an inmate, setting forth: Medical certificate of;

(*a*) That the alien is a public charge, and giving: Date of admission to the institution; date and port of foreign embarkation; ship and line by which arrived; date and port of American debarkation; correct name; name under which manifested; age; nationality; and citizenship. Data for verifying landing of;

(*b*) An accurate statement in plain terms of the mental or physical disability of the alien, covering any and all complications which his condition may present; also his present condition with reference to the degree of helplessness to which reduced; the probability of a cure, or the degree to which health and ability to become self-supporting may be restored; and in insanity cases, Exact condition to be shown;

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Public charges from prior causes: whether recurrent attacks might be expected if recovery from present onset were effected.

Statement of causes required; (*c*) A full and complete recital of the causes to which are attributed the alien's condition as a public charge.

Origin of causes; (*d*) Whether such causes are considered to have existed prior to or to have arisen subsequent to landing; and if believed to have existed prior to landing, stating specifically the reasons upon which belief in prior cause is based, or, in other words, the features of the case which justify such a conclusion.

Copy of history required; (2) A *complete copy* of the clinical or general history of the case as shown by the hospital records, and including the statements of relatives and friends.

Commitment papers; (3) In the cases of insane patients, a copy of the commitment papers containing the grounds alleged by the examining physicians as the basis for commitment.

Further certificate required if possible. (4) Before applying for a warrant in accordance with Rule 34, the immigration officer to whom the foregoing report is made shall, whenever practicable, cause the alien to be examined by an officer of the Public Health and Marine-Hospital Service, whose certificate should accompany the application for a warrant.

Public charges: **Rule 33.** *Public charges, medical certificate.*—In the event that the examining medical officer is able definitely

Medical certificate concerning. to certify that an alien was, at the time of landing in the United States, afflicted with insanity, idiocy, imbecility, feeble-mindedness, epilepsy, tuberculosis, or a loathsome or dangerous contagious disease, such a certificate will be regarded as prima facie evidence of entry in violation of section 2 of the Immigration Act, and, in the absence of satisfactory evidence to the contrary, the alien will be deported in accordance with the provisions of sections 20 and 21.

Deportation: **Rule 34.** *Deportation, application for warrant.*—Every

Application for warrant of. immigration officer receiving a report in conformity with Rule 32, accompanied by a medical certificate that complies with either Rule 32 or Rule 33, shall communicate with the officer in charge at the port of entry and, if landing is verified from the official records, shall make application for warrant in the manner provided by Rule 35. Such aliens will not be removed from the institutions in which they are confined until after due hearing and after an order of deportation is issued, or unless special instructions for removal are incorporated in the warrant.

Deportation, procedure: **Rule 35.** *Deportation, procedure.*—In enforcing sections 20 and 21 of the act approved February 20, 1907, the following instructions regarding applications for warrants of arrest and deportation will be observed:

Application for arrest warrant; (*a*) All applications for warrants must be made, if possible, upon blank form No. 565, which will be furnished upon written request to the Commissioner-General of Immigration, Department of Commerce and Labor, and which must be filled out in accordance with the

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printed lines contained therein, and be accompanied by the certificate of landing or entry (Form No. 564) hereinafter prescribed, or if not so accompanied the reasons for the absence of such certificate must be given, and in that case all the facts called for in the blank form of said certificate shall be set forth in the application, so far as the facts are ascertainable. Deportation, procedure:

(*b*) A full statement must be made in every such application of the facts, supported if practicable by affidavits, which show the presence in the United States of the alien whose arrest and deportation is sought to be in violation of law. Affidavits to accompany;

(*c*) The certificate of landing in or entry into the United States must contain a complete statement in detail of all the facts disclosed as to any such alien by the manifest or list containing his name, with an attached certificate by the officer in charge of such manifest that the information given agrees in all particulars with the record of such alien in said list or manifest. Verification of landing;

(*d*) Telegraphic application for warrants should be avoided so far as possible, but, if the circumstances of any particular case make it absolutely necessary to resort to request by wire, such request must state that the foregoing regulations have been complied with, and that the form of application and certificate hereinbefore mentioned have been forwarded to the Department, and must give the substance of the statement of facts contained in the said application and certificate. In order to obviate any possible legal difficulty in the service of the telegraphic warrant, the Department will confirm the telegram by sending in the next outgoing mail a formal written warrant. The statement of facts, contained in the telegraphic application, therefore, must be sufficiently complete and specific to form the basis of the formal warrant. Telegraphic application for arrest warrant;

(*e*) If, thereafter, it appears to the Secretary that the alien concerned is in the United States unlawfully, and that the time within which he may be deported has not expired, a warrant for his arrest shall issue directing that he be taken before the person or persons therein described and there be given a hearing, at which he shall have full opportunity to show cause, if any there be, why he should not be deported. Issuance of arrest warrant;

During the course of the hearing the alien shall be allowed to inspect the warrant of arrest and all the evidence on which it was issued; and, at such stage thereof as the person before whom the hearing is held shall deem proper, the alien shall be apprised that he may thereafter be represented by counsel, and shall be required then and there to state whether he desires counsel or waives the same, and his reply shall be entered on the record. If counsel be selected he shall be permitted to be present Hearing under arrest warrant; Rights of counsel;

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Deportation, procedure: during the further conduct of the hearing, and be permitted to inspect and make a copy of the minutes of the hearing so far as it has proceeded, and to offer evidence to meet any evidence theretofore or thereafter presented by the Government. At the close of the hearing all of the papers, including the minutes, and any written argument submitted by counsel for the alien, shall be forwarded to the Department as the record on which to determine whether or not a warrant for deportation shall issue.

Interpreter to be secured; If the alien is unable to speak or understand English, an interpreter shall, where practicable, be employed. If it be necessary to employ as such some one outside the Service, authority for payment of a reasonable compensation will, upon request, be granted. If the alien be physically or mentally incapable of testifying, his relatives, friends, or acquaintances, if any, shall be questioned.

Medical certificate; (*f*) The record of the hearing accorded an alien who is insane or has become a public charge shall be supplemented by a *written* certificate of the medical officer in charge of the institution in which the alien is confined, showing whether such alien is in condition to be deported without danger to life.

Release under bond; (*g*) Pending decision upon the case the arrested alien shall be released from custody, provided there is furnished, as required by the proviso to section 20, a satisfactory bond running to the United States and conditioned for the production of the alien to the immigration officers for hearing or hearings and for deportation in the event of the issuance of a departmental warrant of deportation.

Sureties on bond; The sureties on such bond shall be parties of ascertained financial responsibility; and in preparing the bond a blank form supplied by the Bureau of Immigration and

Approval of bond; Naturalization will be used. No alien so arrested shall be released, however, until the authority of the Department to accept bond in a specified sum is received, nor until the sureties on the bond have been found to be reliable. Before releasing the alien either one of two methods shall be observed (as may be deemed best calculated to secure an expeditious handling of the case) to have the bond approved as to form and execution: First, the bond to be forwarded to the Bureau at Washington for review by the solicitor of the Department; or, second, the bond to be submitted to the local United States attorney for such purpose. In any event the alien shall be promptly released on receipt of advice that the bond has been approved as to form and execution, and the bond shall be forwarded to the Bureau for formal acceptance by the Secretary.

Issuance of deportation warrant; (*h*) If, after the receipt of the report of such hearing, it shall appear to the satisfaction of the Secretary, from all the evidence, that such alien is in the United States in violation of law and that the time within which he can

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be deported has not expired, a warrant will be issued for his deportation. Deportation procedure:

(*i*) Officers are directed to make thorough investigation of all cases where they are credibly informed, or have reason to believe, that a specified alien is in the United States in violation of law. It is not permissible for officers to resort to any form of intimidation, by threats, violence, or otherwise, in order to extort from any suspected alien or from any other person the information to be embodied in the application for the warrant of arrest. Officers are specially cautioned not to lend their aid in causing the arrest of aliens upon charges arising out of personal spite or enmity, unless the truth of such charges is clearly established. Care to be exercised in conducting investigation;

(*j*) In every case in which a warrant of deportation is issued under sections 20 and 21, the immigration official in charge at the port from which deportation is to be made shall notify the steamship line, on a vessel of which the alien is to be placed, of the intended deportation as promptly as possible after receipt of a copy of the departmental warrant and of advices from the officer under whose supervision the arrest and hearing in the case have been effected. And in all such cases care shall be exercised by all immigration officials concerned to furnish the steamship officials with full and exact information concerning the name, destination, condition of health, etc., of the alien to be deported. Notice to steamship company;

(*k*) If the conditions are such that an attendant (or matron) will be required to assist in conveying an alien from an inland point to the seaport of deportation, special request for authorization therefor should accompany the record of hearing under a warrant of arrest. Such attendants will be allowed a nominal compensation of *one dollar* and traveling expenses both ways. This rate must not be exceeded in any instance without special authorization, based upon extraordinary conditions, to be fully set forth for the guidance of the Department. Attendant to seaport.

Rule 36. *Deportation, cost of maintenance.*—The cost of maintaining aliens during the pendency of warrant proceedings under the preceding rules is a proper charge against the appropriation "Expenses of regulating immigration;" but in cases of aliens who have become public charges from causes existing prior to landing in the United States such cost shall not be allowed for any period preceding the date of issuance of warrant of arrest to an officer of the Immigration Service, and even then only in the event that the Department, upon investigation, orders the deportation of the alien. Maintenance bills under this rule shall be delivered to the immigration officer in immediate charge of the case within a period of twenty days from the close of the calendar month in which occurs the death of the alien or removal from the institution for deportation. Failure to so render Arrest and deportation: Expense of maintenance during proceedings, how borne; Time for rendering bills;

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Arrest and deportation:

Method of obtaining reimbursement when importers are prosecuted.

maintenance bills shall relieve the United States from any responsibility for the payment thereof. If proceedings against a procurer or contractor are instituted in accordance with sections 3, 5, or 20 of the Immigration Act, immigration officers should report to the United States district attorney the amount of the cost of deporting the alien, including one-half of the entire cost of removal to the port of deportation, so that a proper effort may be made to recover such expense from the procurer or importer and the reimbursement of the Government and the transportation company for their respective parts thereof.

Deportation:

Rule 37. *Deportation, procedure in cases of insane or diseased aliens requiring special care and attention:* [a]

Procedure in cases of insane or diseased aliens;

Aliens requiring special care and attention;

(*a*) When deportation is to be effected either under warrant procedings or in pursuance of rejection at a port, the responsible steamship company shall be required to afford the deported alien special care and attention, if, in the first class of cases, the Department decides when issuing the warrant that such care and attention are necessary, or if, in the second class of cases, the commissioner or inspector in charge at the port renders such a decision. The report of hearing in warrant proceedings should be accompanied by a statement obtained from the physician (if practicable a surgeon of the Public Health and Marine-Hospital Service) having personal knowledge of the alien's condition, showing such condition in terms that will enable the Department to determine whether special care and attention are needed.

Procedure in cases of;

(*b*) If the Department (or the commissioner or inspector in charge, as the case may be) finds that the alien requires special care and attention, the steamship line by which deportation occurs must provide all necessary care and attention as called for by his condition, not only during the ocean voyage, but also (except as hereinafter provided) during the foreign land journey. Proof that such care and attention have been provided and the alien sent to his final destination must be furnished through sheets "B" and "C" of Form 597 hereinafter referred to.

Returns by vessels concerning;

Delivery of forms of returns;

(*c*) The alien may be delivered to the master or first or second officer of the vessel by which deportation is to occur, and together with the alien there shall be delivered Form 597 (composed of sheets "A," "B," and "C"), also a duplicate carbon of sheet "A." The receipt and sheet "A" will be completely filled out by an immigration officer (except as to signature) prior to delivery. He shall also insert at the blank space following "No." at the top of each sheet the number of the departmental warrant where deportation occurs pursuant to warrant, and the local correspondence file number where deportation occurs

[a] For special regulations regarding arrest and deportation of prostitutes and procurers, and anarchists and criminals, see Department Circulars Nos. 156 and 163, respectively.

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Deportation:

pursuant to rejection by a board. The receipt attached to sheet "A" shall be signed by the ship's officer to whom the alien has been delivered and returned forthwith to the immigartion officer making delivery. Sheets "B" and "C" shall be retained by the ship's officer and in due course filled out by the agents or persons therein designated and by them returned by mail as therein provided.

Preparation of returns;

(*d*) From the foreign port of debarkation the steamship company must forward the alien to destination in charge of a proper custodian (all expenses to be borne by such company), except only in cases where foreign public officials decline to allow such custodian to proceed and themselves take charge of the alien. In that event this fact must be shown by signing the form provided in the lower half of sheet "C;" and where foreign public officials have taken charge at the port of debarkation it will be unnecessary to fill out any portion of the form on the upper half of sheet "C."

Where the foreign public officials take charge not at the port of debarkation, but at an interior frontier, both forms on sheet "C" must be filled in, the former in relation to the inland journey as far as such frontier.

Mailing of returns;

(*e*) Whenever, without excuse satisfactory to the commissioner or inspector in charge of immigration at the port of embarkation, a steamship company has failed, for a period of sixty days after departure of an alien requiring special care and attention under this rule, to comply with any of the terms thereof, including failure to return sheets "B" and "C" properly filled out, such commissioner or inspector in charge shall forthwith report this fact to the Commissioner-General of Immigration, and thereafter the Secretary of Commerce and Labor will, without further notice and during such period as he shall determine, exercise his right under section 21 to employ suitable persons to accompany to their final destinations aliens deported on a vessel of such steamship company requiring special care and attention. Instructions as to compensation of such attendants, their mode of travel, their right of access to the alien during the ocean voyage, and other necessary matters will be given in each case as it arises.

To be to transoceanic port;

Rule 38. *Deportation, where to.*—The deportation of aliens as prescribed in Rules 30 to 36 hereof shall be to the foreign trans-Atlantic or trans-Pacific port from which such aliens embarked for the United States; or, if such embarkation was for foreign contiguous territory, to the foreign port at which they embarked for such contiguous territory. (Sec. 35.)

Of public charges from subsequently arising causes;

Rule 39. *Deportation by consent.*—Any alien who has been lawfully landed, but who has become a public charge from subsequently arising physical inability to earn a living, may, by consent of the alien and with the approval

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of the Bureau of Immigration and Naturalization, be deported within one year from date of landing at the expense of the immigrant fund: *Provided*, That such alien is delivered to the immigration officers at a designated port free of charge; and the charges incurred for the care and treatment of any such alien in any public or charitable institution from the date of notification to an officer of the Bureau until the expiration of one year after landing may be paid from the immigrant fund at fixed rates agreed upon.

Deportation:

Expense, how borne.

RULES RELATING TO TRANSIT.

Rule 40. *Aliens in transit.*—Every alien seeking a landing for the purpose of proceeding directly through the United States to a foreign country shall be examined, and, if found to be a member of any one of the excluded classes, shall be refused permission to land, in the same manner as though he intended to remain in the United States. Cases where a refusal of the privilege would entail exceptional hardship may be reported to the Secretary for a special ruling.

Transits:

To be examined;

Cases exceptional hardship to be reported;

Rule 41. *Aliens in transit, head tax for.*—(*a*) No alien desiring admission at a port of the United States for the professed purpose of proceeding directly therefrom to foreign territory shall be permitted to land thereat except after deposit with the collector of customs at said port, by the master or owner of the vessel or by a representative of any other mode of transportation by which such alien is brought, of the amount of the head tax (four dollars) prescribed by section 1 of the Immigration Act, said amount to be refunded upon proof satisfactory to the immigration officer in charge at the port of arrival that said alien has passed by direct and continuous journey through and out of the United States within thirty days from the date of admission, proof of such departure to be furnished within sixty days from the date of admission. Special deposits of head tax on account of aliens in transit will, at the expiration of sixty days from the date of admission, be covered into the Treasury as head tax, the cases in which proof of departure is received after the expiration of such period to be reported to the Bureau of Immigration and Naturalization for special authorization, under the provision incorporated in the legislative, executive, and judicial appropriation act approved February 3, 1905.

Head tax must be deposited on account of;

Head tax to be refunded on proof of departure;

Head tax to be covered into Treasury at expiration of 60 days;

How then refundable;

(*b*) All aliens of the taxable class desiring to proceed in transit through the United States from the Dominion of Canada shall be required to furnish to the examining officer or officers guaranty of payment of head tax described in paragraph (*k*) of Rule 25 of these regulations. If admissible, aliens claiming to be in transit will be given certificate Form 523, providing for refund of head

Head tax on, special system of collecting and refunding when from Canadian territory;

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tax upon such certificate being properly indorsed by the alien and by the purser of the outgoing trans-Atlantic or trans-Pacific steamship upon which the holder of said certificate may depart from the United States; or, if the alien be passing in transit through the United States from one point in Canada to another point in Canada, then such indorsement to be made by the conductor of the train upon which the holder of the certificate departs from the United States. Transits:

(*c*) Refund of head tax will be made on aliens of the taxable class, arriving at Atlantic or Pacific ports of Canada and desiring to proceed immediately in transit through the United States, to the transportation line responsible for payment of head tax on such aliens, upon proof satisfactory to the United States commissioner of immigration for Canada that said aliens have passed by direct and continuous journey through and out of the United States within the time limit specified in this rule. *Head tax* on those arriving at Canadian seaports;

(*d*) Even though an alien, being a "transit passenger," enters and leaves the United States at the same port the provisions of this rule shall be applied to his case to the same extent, and in the same manner so far as necessary, as though such alien entered at one port and departed through another. In the cases of those entering across the Canadian border as transient visitors, however, Form No. 569 will be used instead of Form No. 523, under the procedure laid down in paragraph (*b*) hereof. Entering and leaving at same port — refund of head tax on account of;

(*e*) A class of "transit passengers" which requires somewhat different treatment in practice than "transits" as ordinarily understood and "transient visitors," whose cases are covered by the preceding paragraphs hereof, consists of aliens visiting the United States as tourists, on pleasure or business. With regard to such class, no payment or deposit of head tax need be required, if the immigration officers at the port of entry are satisfied that it is the *bona fide* intent of the passenger merely to visit or tour the United States. For instance, when an alien is in possession of first-class round trip or through transportation, or other circumstances are present, indicating with reasonable certainty that the passenger is a tourist, deposit should not be required; if doubt exists, he should be classed as a "transit" or "transient visitor." Entering as tourists — different practice applying to;

MISCELLANEOUS RULES.

Rule 42. *Cattlemen.*—It is ordered that all cattlemen returning to ports within the United States holding certificates duly signed by a commissioner of immigration or an immigrant inspector shall be entitled, upon identification, to admission into the United States without further examination by the immigration officers, to whom Cattlemen: Admission of;

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said certificate must be presented and surrendered, which certificate must be as follows: Cattlemen:

FORM 567.

[Stub.]

No------
Port of----------
Date--------, 19----
Name----------
Age----------
Native of----------
Employed by--------
Of----------
A cattleman sailing on the steamship---
Surrendered at the port of----------
----------, 19----
Height----------
Weight----------
Color of hair--------
Color of eyes--------
General remarks-----

Signature of cattleman:

Cattlemen's certificate of admission. Form of certificate for.

DEPARTMENT OF COMMERCE AND LABOR.
IMMIGRATION SERVICE.

No------ PORT OF----------,
----------, 19---

This is to certify that ---------a native of----------age----------, who is duly accredited an employee of---------- sailing on the steamship---------- ----------, 19---, is a cattleman from the port of----------United States of America.

The holder of this certificate will be permitted to enter the United States as a returning cattleman on presentation of this certificate and proper identification by the immigration inspector

Height----------
Weight----------
Color of hair----------
Color of eyes----------
General remarks---------

----------,
Commissioner of Immigration.

NOTE.—This certificate must be furnished by the commissioner of immigration, or immigrant inspector, to the steamship company at the port of departure. The certificate will be filled in by the United States officer and delivered to the captain of the vessel upon which the cattleman sails, who in turn will deliver the paper to the person in whose name it is issued, at the foreign port of destination, to enable the cattleman to return. Any alteration or erasure of this certificate renders it void, and if it is presented by any person other than its rightful owner it will be taken up and the holder subjected to the inspection required by law.

Rule 43. *Administration of oaths.*—The authority to administer oaths conferred upon immigration officials by section 24 of the Immigration Act is limited to matters "touching the right of any alien to enter the United States." When, therefore, such officials are detailed to investigate frauds or attempts to defraud the Government, or any irregularity or misconduct of any officer or agent of the United States, section 183 of the Revised Statutes should be relied upon for authority to administer oaths to witnesses. Immigration officials: Administration of oaths by.

Rule 44. *Posting of immigration acts.*—The certificate required by section 8 of the act of Congress approved March 3, 1893, that copies of the immigration acts have been duly posted, shall be filed with the Secretary of Commerce and Labor upon the first days of January and July of each year. Posting laws: Filing certificate of.

Rule 45. *Official communications.*—Officers employed in the administration of the immigration and Chinese- Official communications:

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exclusion laws are notified that all communications to the Department upon official matters must be addressed to the Commissioner-General of Immigration or to the Secretary of Commerce and Labor through official channels.

Official communications: To be sent through official channels.

Rule 46. *Telegraphing.*—With the object of reducing the expense of telegraphing in connection with the official business of the Immigration Service, the telegraphic code provided by the Bureau of Immigration and Naturalization will be employed to the fullest extent possible.

Telegraphing: Code for.

Rule 47. *Uniforms.*—It is hereby ordered that inspection officers and employees of the Immigration Service stationed at ports or places of entry into the United States *and elsewhere* shall, while on duty, *unless otherwise specially directed in writing*, wear uniforms designated by the Bureau of Immigration and Naturalization, said uniforms to be purchased by the said inspectors and employees.

Uniforms: Officers required to wear;

(*a*) UNIFORM SUITS: Uniform suits will be made of dark blue cloth. The following are the prescribed styles:

Particulars concerning—

Suits for inspectors and assistant inspectors—Coats.—Double-breasted sack, four buttons on each side, ends cut square. Two lower outside pockets, one on upper left side and small ticket pocket on right side. All outside pockets to have flaps, except upper left-hand pocket. Two inside pockets. All pockets to be of liberal size.

Suits;

Vests.—Single-breasted, six buttons, collar. Four pockets without flaps. Bone buttons.

Trousers.—Plain, with side pockets, two hip pockets, and watch pocket. No stripe. Band back and front on inside at bottom.

Suits for all other officials.—Same as above, except that coat shall be single-breasted instead of double-breasted.

(*b*) BUTTONS: The bone buttons upon suits will be of a special pattern designed to fit brass button shells (detachable) which must be affixed and worn in all cases while on duty. Button shells will be forwarded without cost upon application to the Bureau.

Buttons;

(*c*) CAPS: Contract has been made for uniform caps, which must be paid for by the employees, the cost per cap being two dollars. If money order for this sum is forwarded to the Bureau, through official channels, full name and title of employee and size of cap wanted being stated, the same will be ordered sent direct to purchaser, express charges collect. The winter cap is made of blue cloth and the summer cap of black silk. *Unless otherwise specified*, BLUE CLOTH cap will be furnished.

Caps;

(*d*) CAP INSIGNIA: Caps will be provided with appropriate insignia and lettering without charge to employees, but orders must be placed through the Bureau in every instance.

Cap insignia;

(*e*) COLLAR INSIGNIA: Inspectors in charge of stations, or of the various divisions at the principal ports of entry, will be designated by an appropriate legend worn

Collar insignia;

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Uniforms: Particulars concerning—

on both sides of the front of the coat collar. These legends will be worked in gold letters upon blue cloth, and may be obtained free of cost upon application to the Bureau. The cloth strips will be attached to the coat collars with hooks and eyes, so that they may readily be removed.

Service insignia;

(*f*) SERVICE INSIGNIA: Immigrant and Chinese inspectors one year in the service may be designated by a strip of gold braid upon the top of the cuff of the left coat sleeve 2 inches from the bottom of the sleeve and extending halfway around it. An additional strip may be added one-fourth inch higher than its predecessor for each year's completed service up to five years, when a small gold star may be worn in lieu of the braid, which should then be removed. For each year from five to nine, inclusive, a strip of gold braid may be added. Ten years' continuous service may be indicated by two stars, and so on. The equipments needed to comply with this requirement can be secured without charge upon application to the Bureau, the full name and exact service of the employee being stated. Insignia is issued to inspectors only. The length of service is reckoned from the date of original appointment as inspector, and must not include prior service in other capacities. In making request for insignia, give date of original appointment as inspector, or if at present wearing insignia, describe same and give date on which the last prior addition thereto was received from the Bureau.

Seasons;

(*g*) SEASONS: The time of changing from one weight of uniform to another will be governed by the change of seasons at the various stations of employees. Officers stationed in Hawaii and Porto Rico may wear white duck uniforms and caps, insignia for the latter to be procured free of cost upon application to the Bureau.

Light-weight uniforms;

(*h*) LIGHT-WEIGHT UNIFORMS: Officers and employees stationed at places where the climate is too warm to admit of comfort in wearing the regular summer uniform may have their uniforms made of light material suited to the locality, subject to the stipulation that the color and style shall conform to the requirements of paragraph (*a*) hereof. The special buttons required to fit brass shells may be procured from the Bureau.

Inspections;

(*i*) INSPECTIONS: Commissioners of immigration and inspectors in charge will make reports to the Bureau on the first days of January and July regarding the condition of each part of the uniform of every employee under their respective jurisdictions, each portion of every uniform being graded as excellent, good, fair, or bad, as the case may be. Form 596 will be used in making these reports, and if any reports showing the condition to be "bad" are made, the steps that have been taken to correct this condition should be noted.

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Uniforms: *Particulars concerning—* New appointees.

(*j*) NEW APPOINTEES: Officers having charge of immigration stations, districts, or ports will require employees newly appointed and ordered to report to them for duty to provide themselves with standard uniforms within thirty days from the date of assignment to duty, and will see that the *full uniform* is worn by all employees, as herein provided.

Districts: Number; Official in charge; Headquarters; Extent.

Rule 48. For convenience in enforcing both the immigration and the Chinese-exclusion laws, the territory within which immigration officials are located is divided into districts, under the jurisdiction of commissioners of immigration or inspectors in charge, numbered, defined, and with headquarters fixed, as follows:

Dist. No.	Title of officer.	Location of headquarters.	Extent of districts.
1	Commissioner of immigration.	Montreal, P. Q., Canada.	Canadian border and Canadian seaports.
2	Commissioner of immigration.	Boston, Mass.....	New England States, including port of Boston and subports of Portland and New Bedford.
3	Commissioner of immigration.	Ellis Island, New York Harbor.	New York and New Jersey; immigration matters *only*.
	Chinese inspector in charge.	17 State street, New York, N. Y.	New York and New Jersey; Chinese matters *only*.
4	Commissioner of immigration.	Philadelphia, Pa..	Pennsylvania, Delaware, and West Virginia; port of Philadelphia and substations of Pittsburg, Chester, and Wilmington.
5	Commissioner of immigration.	Baltimore, Md....	Maryland and District of Columbia; port of Baltimore and subports of Annapolis and Washington.
6	Inspector in charge ..	Norfolk, Va.....	Virginia, North Carolina, and South Carolina; port of Norfolk and subports of Newport News, Wilmington, and Charleston.
7	Inspector in charge ..	Tampa, Fla.....	Georgia, Florida, and Alabama; port of Tampa and subports of Savannah, Brunswick, Jacksonville, Miami, Key West, Pensacola, and Mobile.
8	Commissioner of immigration.	New Orleans, La..	Louisiana, Mississippi, Arkansas, and Tennessee; port of New Orleans and subports of Gulfport and Pascagoula.
9	Inspector in charge ..	Galveston, Tex...	The port of Galveston and subports of Port Arthur and Corpus Christi, Tex. The territory bounded on the north and east by the Louisiana-Texas border and the Gulf of Mexico; on the west by the westerly boundaries of the following counties in Texas: Shelby, Nacogdoches, Angelina, Polk, San Jacinto, Montgomery, Harris, Fort Bend, Wharton, Jackson, Victoria, Refugio, San Patricio, and Nueces; and on the south by the southerly boundary of Nueces County, Tex.
10	Inspector in charge ..	Cleveland, Ohio..	Ohio and Kentucky; substations at Toledo and Columbus.
11	Inspector in charge ..	Chicago, Ill.....	Illinois, Indiana, Michigan, and Wisconsin.
12	Inspector in charge ..	Minneapolis, Minn.	Minnesota and North and South Dakota.
13	Inspector in charge ..	St. Louis, Mo.....	Missouri, Iowa, Nebraska, Kansas, and Oklahoma.
14	Inspector in charge ..	Denver, Colo.....	Colorado, Wyoming, and Utah; substation at Salt Lake City.

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Dist. No.	Title of officer.	Location of headquarters.	Extent of districts.
15	Inspector in charge...	Helena, Mont.....	Montana and Idaho; Substation at Havre, Mont.
16	Commissioner of immigration.	Seattle, Wash.....	Washington; port of Seattle and subports of Tacoma, Port Townsend, and Olympia; substations of Spokane and Walla Walla.
17	Inspector in charge...	Portland, Oreg ...	Oregon; port of Portland and subport of Astoria.
18	Commissioner of immigration.	San Francisco, Cal.	Northern California and Nevada: port of San Francisco.
20	Inspector in charge...	Ketchikan, Alaska	Alaska: port of Ketchikan and substations of Skagway and Nome.
21	Commissioner of immigration.	San Juan, P. R....	Porto Rico; port of San Juan and subport of Ponce.
22	Inspection in charge..	Honolulu, Hawaii	Territory of Hawaii, including all ports.
23	Supervising inspector.	El Paso, Tex.....	Texas, except portion comprising district number 9; New Mexico, and Arizona; port of El Paso, subports of Nogales, Douglas, Laco, Del Rio, Eagle Pass, Laredo, Hidalgo, and Brownsville; substations of San Antonio, Tucson, and Fort Worth.
			Southern California; port of San Diego and substations of Los Angeles and Andrade.

Rule 49. In furtherance of the requirement of section 13 of the immigration act, that the groups in which aliens are listed shall be "convenient," transportation companies are directed, so far as practicable, to assemble or group together all aliens coming from the same locality.

Porto Rico and Hawaii:

Rule 50. Inspection and entry of aliens into the mainland of the United States from foreign countries, through Porto Rican or Hawaiian territory, under the Immigration Act, will be accomplished in accordance with the following provisions:

Aliens arriving must be examined and given certificate;

(*a*) All aliens arriving in Porto Rico or Hawaii destined to the mainland of the United States shall be inspected at the time of arrival and be given a certificate of the form set forth below. The holders of such certificate, duly signed by the United States commissioner of immigration at San Juan, or by the inspector in charge at Honolulu, shall be entitled to admission to the United States at any one of the various ports of entry without further examination by the United States immigration officers as to their right to enter, upon their identification and surrender of such certificate to such officials and upon payment of head tax.

Surrender of certificate;

How procured;

(*b*) Aliens manifested in good faith to Porto Rico or Hawaii, who shall reside there for a time, and who subsequently desire to proceed to the United States, shall, upon application to the commissioner of immigration at San Juan or to the inspector in charge at Honolulu, be furnished with the certificate herein referred to, attesting their previous examination.

What certificate denotes;

(*c*) Failure to present the said certificate shall be deemed presumptive evidence that examination has not

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occurred in Porto Rico or Hawaii, and the alien shall be arrested in the manner provided by sections 20 and 21 of the Immigration Act, and deported, unless he shows that his presence in the country is lawful or that his residence in Porto Rico or Hawaii or the mainland, or both, has exceeded the period of three years. Porto Rico and Hawaii: Effect of failure to secure certificate;

(*d*) Head tax is not to be collected in the cases of aliens who arrived in Porto Rico or Hawaii prior to July 1, 1907, at which time the Act of February 20, 1907, took effect. Head tax not collectible;

(*e*) The certificate shall be in the following form: Form of certificate.

Alien certificate—Insular territory.

FORM 546. No. _____

DEPARTMENT OF COMMERCE AND LABOR,

IMMIGRATION SERVICE,

Port of _____, _____, ____, *191*__.

This is to certify that _____, a native of _____, who arrived at the port of _____ per steamship _____, on the _____, 19__, has been duly inspected and registered, and will be admitted into the United States upon proper identification and payment of head tax, and surrender of this certificate to any immigration officer at a designated port of entry.

The description of the holder is as follows: Age ____; height ____; weight ____; color of hair _____; color of eyes _____.

Remarks (note destination, etc.): _____

_____, _____
(Name) (Title)

Surrendered at ____ to Inspector _____, _____, 191__.

(*f*) Special material facts should be noted on the back of the certificate with proper reference thereto on the face.

DAN'L J. KEEFE,
Commissioner-General of Immigration.

Approved July 12, 1910.

BENJ. S. CABLE,
Acting Secretary.

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APPENDIX.

LAWS NOT REPEALED OR REENACTED BY THE IMMIGRATION ACT OF FEBRUARY 20, 1907.

ACT OF AUGUST 3, 1882.

AN ACT to regulate immigration.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there shall be levied, collected, and paid a duty of fifty cents for each and every passenger not a citizen of the United States who shall come by steam or sail vessel from a foreign port to any port within the United States. The said duty shall be paid to the collector of customs of the port to which such passenger shall come, or if there be no collector at such port, then to the collector of customs nearest thereto, by the master, owner, agent, or consignee of every such vessel, within twenty-four hours after the entry thereof into such port. The money thus collected shall be paid into the United States Treasury and shall constitute a fund to be called the immigrant fund and shall be used, under the direction of the Secretary of Commerce and Labor, to defray the expense of regulating immigration under this act and for the care of immigrants arriving in the United States, for the relief of such as are in distress, and for the general purposes and expenses of carrying this act into effect. The duty imposed by this section shall be a lien upon the vessels which shall bring such passengers into the United States, and shall be a debt in favor of the United States against the owner or owners of such vessels, and the payment of such duty may be enforced by any legal or equitable remedy: *Provided*, That no greater sum shall be expended for the purposes hereinbefore mentioned, at any port, than shall have been collected at such port.[a]

Head tax: Amount;

By whom and to whom paid, within 24 hours after arrival;

To constitute Immigrant fund;

How collection enforced.

* * * * *

Approved August 3, 1882 (22 Stat., 214).

[a] See section 1, act February 20, 1907, and Rules 1, 2, and 3.

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ACT OF FEBRUARY 26, 1885.

AN ACT to prohibit the importation and immigration of foreigners and aliens under contract or agreement to perform labor in the United States, its Territories, and the District of Columbia.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, * * *

Contract labor: Contracts for alien labor declared void.

SEC. 2. That all contracts or agreements, express or implied, parol or special, which may hereafter be made by and between any person, company, partnership, or corporation, and any foreigner or foreigners, alien or aliens, to perform labor or service or having reference to the performance of labor or service by any person in the United States, its Territories, or the District of Columbia, previous to the migration or importation of the person or persons whose labor or service is contracted for into the United States, shall be utterly void and of no effect.[a]

* * * * *

Approved February 26, 1885 (23 Stat., 332).

ACT OF OCTOBER 19, 1888.

AN ACT making appropriations to supply deficiencies in appropriations for the fiscal year eighteen hundred and eighty-eight, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, * * *

SEC. 1. * * * That the act approved February twenty-sixth, eighteen hundred and eighty-five, entitled "An Act to prohibit the importation and migration of foreigners and aliens under contract or agreement to perform labor in the United States, its Territories, and the District of Columbia," be, and the same is hereby, amended so as to authorize the Secretary of Commerce and Labor to pay to an informer who furnishes original information that the law has been violated, such a share of the penalties recovered as he may deem reasonable and just, not exceeding fifty per centum, where it appears that the recovery was had in consequence of the information thus furnished.

* * * * *

Approved October 19, 1888 (25 Stat., 566).

[a] See sections 2, 4, 5, and 6, act of February 20, 1907.

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ACT OF MARCH 3, 1891.

AN ACT in amendment to the various acts relative to immigration and the importation of aliens under contract or agreement to perform labor.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, * * *

Superintendent of Immigration:
Office created; Salary fixed.

SEC. 7. That the office of superintendent of immigration is hereby created and established, and the President, by and with the advice and consent of the Senate, is authorized and directed to appoint such officer, whose salary shall be four thousand dollars per annum, payable monthly. The superintendent of immigration shall be an officer in the Department of Commerce and Labor, under the control and supervision of the Secretary of Commerce and Labor, to whom he shall make annual reports in writing of the transactions of his office, together with such special reports, in writing, as the Secretary of Commerce and Labor shall require. The Secretary shall provide the superintendent with a suitably furnished office in the city of Washington, and with such books of record and facilities for the discharge of the duties of his office as may be necessary. He shall have a chief clerk at a salary of two thousand dollars per annum, and two first-class clerks.[a]

* * * * *

Approved March 3, 1891 (26 Stat., 1084).

ACT OF FEBRUARY 15, 1893.

AN ACT granting additional quarantine powers and imposing additional duties upon the Marine-Hospital Service.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, * * *

Quarantine:
President given extraordinary power to suspend immigration.

SEC. 7. That whenever it shall be shown to the satisfaction of the President that by reason of the existence of cholera, or other infectious or contagious diseases, in a foreign country there is serious danger of the introduction of the same into the United States, and that notwithstanding the quarantine defense this danger is so increased by the introduction of persons or property from such country that a suspension of the right to introduce the same is demanded, in the interest of the public health, the President shall have power to prohibit, in whole or in part, the introduction of persons and property from

[a] See section 1, act March 2, 1895, and section 22, act February 20, 1907.

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such countries or places as he shall designate and for such period of time as he may deem necessary.

* * * * *

Approved February 15, 1893 (27 Stat., 449).

ACT OF MARCH 3, 1893.

AN ACT to facilitate the enforcement of the immigration and contract-labor laws of the United States.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, * * *

Certificates: Required of steamship companies re posting laws in foreign offices; Penalty for failure.

SEC. 8. That all steamship or transportation companies, and other owners of vessels, regularly engaged in transporting alien immigrants to the United States, shall twice a year file a certificate with the Secretary of Commerce and Labor that they have furnished to be kept conspicuously exposed to view in the office of each of their agents in foreign countries authorized to sell emigrant tickets, a copy of the law of March third, eighteen hundred and ninety-one, and of all subsequent laws of this country relative to immigration, printed in large letters, in the language of the country where the copy of the law is to be exposed to view, and that they have instructed their agents to call the attention thereto of persons contemplating emigration before selling tickets to them; and in case of the failure for sixty days of any such company or any such owners to file such a certificate, or in case they file a false certificate, they shall pay a fine of not exceeding five hundred dollars, to be recovered in the proper United States court, and said fine shall also be a lien upon any vessel of said company or owners found within the United States.[a]

* * * * *

Approved March 3, 1893 (27 Stat., 569).

ACT OF AUGUST 18, 1894.

AN ACT making appropriations for sundry civil expenses of the Government for the fiscal year ending June thirtieth, eighteen hundred and ninety-five, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, * * *

Commissioners of immigration: Appointed by President.

The commissioners of immigration at the several ports shall be appointed by the President, by and with the advice and consent of the Senate, to hold their offices

[a] See Rule 44 for time of filing.

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for the term of four years, unless sooner removed, and until their successors are appointed; and nominations for such offices shall be made to the Senate by the President as soon as practicable after the passage of this act.[a]

Approved August 18, 1894 (28 Stat., 372).

ACT OF MARCH 2, 1895.

AN ACT making appropriations for the legislative, executive, and judicial expenses of the Government for the fiscal year ending June thirtieth, eighteen hundred and ninety-six, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, * * *

BUREAU OF IMMIGRATION.

Commissioner-General: Title created; Administration contract-labor laws placed under.

That the Superintendent of Immigration shall hereafter be designated as Commissioner-General of Immigration, and, in addition to his other duties, shall have charge, under the Secretary of Commerce and Labor, of the administration of the alien contract-labor laws, etc.[a]

Approved March 2, 1895 (28 Stat., 764).

ACT OF JUNE 6, 1900.

AN ACT making appropriations for sundry civil expenses of the Government for the fiscal year ending June thirtieth, nineteen hundred and one, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, * * * and hereafter the Commissioner-General of Immigration, in addition to his other duties, shall have charge of the administration of the Chinese-exclusion law and of the various acts regulating immigration into the United States, its Territories, and the District of Columbia, under the supervision and direction of the Secretary of Commerce and Labor.

Chinese-exclusion law placed under.

Approved June 6, 1900 (31 Stat., 611).

[a] See section 7, act March 3, 1891, and section 22, act February 20, 1907.

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ACT OF APRIL 29, 1902.

AN ACT to prohibit the coming into and to regulate the residence within the United States, its Territories, and all territory under its jurisdiction, and the District of Columbia, of Chinese and persons of Chinese descent.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, * * *

Fairs and expositions:

Exceptions in favor of exhibitors at.

SEC. 3. That nothing in the provisions of this Act or any other Act shall be construed to prevent, hinder, or restrict any foreign exhibitor, representative, or citizen of any foreign nation, or the holder, who is a citizen of any foreign nation, of any concession or privilege from any fair or exposition authorized by Act of Congress from bringing into the United States, under contract, such mechanics, artisans, agents, or other employees, natives of their respective foreign countries, as they or any of them may deem necessary for the purpose of making preparation for installing or conducting their exhibits or of preparing for installing or conducting any business authorized or permitted under or by virtue of or pertaining to any concession or privilege which may have been or may be granted by any said fair or exposition in connection with such exposition, under such rules and regulations as the Secretary of Commerce and Labor may prescribe, both as to the admission and return of such person or persons.

* * * * *

Approved April 29, 1902 (32 Stat., part 1, p. 176).

ACT OF FEBRUARY 3, 1905.

AN ACT making appropriations for the legislative, executive, and judicial expenses of the Government for the fiscal year ending June thirtieth, nineteen hundred and six, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, * * *

BUREAU OF IMMIGRATION.

* * * * *

Head tax:

Refund of, when erroneously collected.

Provided, That the Commissioner-General of Immigration, with the approval of the Secretary of Commerce and Labor, shall have power to refund head tax heretofore and hereafter collected under section one of the immigration Act approved March third, nineteen hundred and three, upon presentation of evidence showing conclusively that such collection was erroneously made.[a]

Approved February 3, 1905 (33 Stat., part 1, p. 684).

[a] See Rules 1 and 41.

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ACT OF FEBRUARY 6, 1905.

AN ACT to amend an Act approved July first, nineteen hundred and two, entitled "An Act temporarily to provide for the administration of the affairs of civil government in the Philippine Islands, and for other purposes," and to amend an Act approved March eighth, nineteen hundred and two, entitled "An Act temporarily to provide revenue for the Philippine Islands, and for other purposes," and to amend an Act approved March second, nineteen hundred and three, entitled "An Act to establish a standard of value and to provide for a coinage system in the Philippine Islands," and to provide for the more efficient administration of civil government in the Philippine Islands, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, * * *

Philippine Islands: Enforcement immigration laws therein; Collection head tax therein.

SEC. 6. That the immigration laws of the United States in force in the Philippine Islands shall be administered by the officers of the general government thereof designated by appropriate legislation of said government, and all moneys collected under said laws as duty or head tax on alien immigrants coming into said islands shall not be covered into the general fund of the Treasury of the United States, but shall be paid into the treasury of said islands to be used and expended for the government and benefit of said islands.

* * * * *

Approved February 6, 1905 (33 Stat., 689).

ACT OF MARCH 3, 1905.

AN ACT making appropriations for sundry civil expenses of the Government for the fiscal year ending June thirtieth, nineteen hundred and six, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, * * *

Subscriptions: To be paid in advance.

Provided, That the annual subscriptions for publications for use in the immigration service at large may be paid in advance.

Approved March 3, 1905 (33 Stat., part 1, p. 1156).

ACT OF JUNE 29, 1906.

AN ACT to establish a Bureau of Immigration and Naturalization, and to provide for a uniform rule for the naturalization of aliens throughout the United States.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the designation of the Bureau of Immigration in the Department of Commerce and Labor is hereby

Bureau of Immigration:

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Bureau of Immigration: changed to the "Bureau of Immigration and Naturalization," which said Bureau, under the direction and control of the Secretary of Commerce and Labor, in addition to the duties now provided by law, shall have charge of all matters concerning the naturalization of aliens. That it shall be the duty of the said Bureau to provide, for use at the various immigration stations throughout the United States, books of record, wherein the commissioners of immigration shall cause a registry to be made in the case of each alien arriving in the United States from and after the passage of this Act of the name, age, occupation, personal description (including height, complexion, color of hair and eyes), the place of birth, the last residence, the intended place of residence in the United States, and the date of arrival of said alien, and, if entered through a port, the name of the vessel in which he comes. And it shall be the duty of said commissioners of immigration to cause to be granted to such alien a certificate of such registry, with the particulars thereof.[a]

Title changed to Bureau of Immigration and Naturalization.

* * * * *

Approved June 29, 1906 (34 Stat., part 1, p. 596).

ACT OF MARCH 2, 1907.

AN ACT in reference to the expatriation of citizens and their protection abroad.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of State shall be authorized, in his discretion, to issue passports to persons not citizens of the United States as follows: Where any person has made a declaration of intention to become such a citizen as provided by law and has resided in the United States for three years a passport may be issued to him entitling him to the protection of the Government in any foreign country: *Provided*, That such passport shall not be valid for more than six months and shall not be renewed, and that such passport shall not entitle the holder to the protection of this Government in the country of which he was a citizen prior to making such declaration of intention.

Passports:

When issued to persons not citizens;

Not valid in country of alien's former domicile.

Expatriation:

How effected;

SEC. 2. That any American citizen shall be deemed to have expatriated himself when he has been naturalized in any foreign state in conformity with its laws, or when he has taken an oath of allegiance to any foreign state.

When any naturalized citizen shall have resided for two years in the foreign state from which he came, or for

[a] For naturalization laws and regulations drawn thereunder, see pamphlet entitled "Naturalization Laws and Regulations."

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Expatriation:

five years in any other foreign state it shall be presumed that he has ceased to be an American citizen, and the place of his general abode shall be deemed his place of residence during said years: *Provided, however*, That such presumption may be overcome on the presentation of satisfactory evidence to a diplomatic or consular officer of the United States, under such rules and regulations as the Department of State may prescribe: *And provided also*, That no American citizen shall be allowed to expatriate himself when this country is at war.

How presumption overcome.

Marriage:

How affects status of woman marrying foreigner;

SEC. 3. That any American woman who marries a foreigner shall take the nationality of her husband. At the termination of the marital relation she may resume her American citizenship, if abroad, by registering as an American citizen within one year with a consul of the United States, or by returning to reside in the United States, or, if residing in the United States at the termination of the marital relation, by continuing to reside therein.

Of foreign woman marrying American.

SEC. 4. That any foreign woman who acquires American citizenship by marriage to an American shall be assumed to retain the same after the termination of the marital relation if she continues to reside in the United States, unless she makes formal renunciation thereof before a court having jurisdiction to naturalize aliens, or if she resides abroad she may retain her citizenship by registering as such before a United States consul within one year after the termination of such marital relation.

Minor children:

Born outside United States, how citizenship resumed, and when takes effect;

SEC. 5. That a child born without the United States of alien parents shall be deemed a citizen of the United States by virtue of the naturalization of or resumption of American citizenship by the parent: *Provided*, That such naturalization or resumption takes place during the minority of such child: *And provided further*, That the citizenship of such minor child shall begin at the time such minor child begins to reside permanently in the United States.

Foreign born, citizens under sec. 1993, R. S.: Assumption of citizenship by.

SEC. 6. That all children born outside the limits of the United State who are citizens thereof in accordance with the provisions of section nineteen hundred and ninety-three of the Revised Statutes of the United States[a] and who continue to reside outside the United States shall, in order to receive the protection of this Government, be required upon reaching the age of eighteen years to record at an American consulate their intention to become

[a] Sec. 1993, Revised Statutes, reads as follows: "All children heretofore born or hereafter born out of the limits and jurisdiction of the United States, whose fathers were or may be at the time of their birth citizens thereof, are declared to be citizens of the United States; but the rights of citizenship shall not descend to children whose fathers never resided in the United States."

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residents and remain citizens of the United States and shall be further required to take the oath of allegiance to the United States upon attaining their majority.

Evidence: To be filed with State Department.

SEC. 7. That duplicates of any evidence, registration, or other acts required by this Act shall be filed with the Department of State for record.

Approved March 2, 1907.

ACT OF MARCH 26, 1910.

AN ACT to amend an Act entitled "An Act to regulate the immigration of aliens into the United States," approved February twentieth, nineteen hundred and seven.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section two of the Act entitled "An Act to regulate the immigration of aliens into the United States," approved February twentieth, nineteen hundred and seven, is hereby amended so as to read as follows:

"SEC. 2. That the following classes of aliens shall be excluded from admission into the United States: All idiots, imbeciles, feeble-minded persons, epileptics, insane persons, and persons who have been insane within five years previous; persons who have had two or more attacks of insanity at any time previously; paupers; persons likely to become a public charge; professional beggars; persons afflicted with tuberculosis or with a loathsome or dangerous contagious disease; persons not comprehended within any of the foregoing excluded classes who are found to be and are certified by the examining surgeon as being mentally or physically defective, such mental or physical defect being of a nature which may affect the ability of such alien to earn a living; persons who have been convicted of or admit having committed a felony or other crime or misdemeanor involving moral turpitude; polygamists, or persons who admit their belief in the practice of polygamy; anarchists, or persons who believe in or advocate the overthrow by force or violence of the Government of the United States, or of all government, or of all forms of law, or the assassination of public officials; prostitutes, or women or girls coming into the United States for the purpose of prostitution or for any other immoral purpose; *persons who are supported by or receive in whole or in part the proceeds of prostitution;* persons who procure or attempt to bring in prostitutes or women or girls for the purpose of prostitution or for any other immoral purpose; persons hereinafter called contract laborers who have been induced or solicited to migrate to this country by offers or promises of employment or in consequence of agree-

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ments, oral, written or printed, expressed or implied, to perform labor in this country of any kind, skilled or unskilled; those who have been, within one year from the date of application for admission to the United States, deported as having been induced or solicited to migrate as above described; any person whose ticket or passage is paid for with the money of another, or who is assisted by others to come, unless it is affirmatively and satisfactorily shown that such person does not belong to one of the foregoing excluded classes and that said ticket or passage was not paid for by any corporation, association, society, municipality, or foreign government, either directly or indirectly; all children under sixteen years of age unaccompanied by one or both of their parents, at the discretion of the Secretary of Commerce and Labor or under such regulations as he may from time to time prescribe: *Provided*, That nothing in this Act shall exclude, if otherwise admissible, persons convicted of an offense purely political, not involving moral turpitude: *Provided further*, That the provisions of this section relating to the payments for tickets or passage by any corporation, association, society, municipality, or foreign government shall not apply to the tickets or passage of aliens in immediate and continuous transit through the United States to foreign contiguous territory: *And provided further*, That skilled labor may be imported if labor of like kind unemployed can not be found in this country: *And provided further*, That the provisions of this law applicable to contract labor shall not be held to exclude professional actors, artists, lecturers, singers, ministers of any religious denomination, professors for colleges or seminaries, persons belonging to any recognized learned profession, or persons employed strictly as personal or domestic servants."

SEC. 2. That section three of an Act entitled "An Act to regulate the immigration of aliens into the United States," approved February twentieth, nineteen hundred and seven, is hereby amended so as to read as follows:

"SEC. 3. That the importation into the United States of any alien for the purpose of prostitution or for any other immoral purpose is hereby forbidden; and whoever shall, directly or indirectly, import, or attempt to import, into the United States, any alien for the purpose of prostitution or for any other immoral purpose, or whoever shall hold or attempt to hold any alien for any such purpose in pursuance of such illegal importation, or whoever shall keep, maintain, control, support, employ, or harbor in any house or other place, for the purpose of prostitution or for any other immoral purpose, in pursuance of such illegal importation, any alien, shall, in every such case be deemed guilty of a felony, and on conviction thereof be imprisoned not more than ten years and pay a fine of not more than five thousand

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dollars. Jurisdiction for the trial and punishment of the felonies hereinbefore set forth shall be in any district to or into which said alien is brought in pursuance of said importation by the person or persons accused, or in any district in which a violation of any of the foregoing provisions of this section occur. Any alien who shall be found an inmate of or connected with the management of a house of prostitution or practicing prostitution after such alien shall have entered the United States, or who shall receive, share in, or derive benefit from any part of the earnings of any prostitute; or who is employed by, in, or in connection with any house of prostitution or music or dance hall or other place of amusement or resort habitually frequented by prostitutes, or where prostitutes gather, or who in any way assists, protects, or promises to protect from arrest any prostitute, shall be deemed to be unlawfully within the United States and shall be deported in the manner provided by sections twenty and twenty-one of this Act. That any alien who shall, after he has been debarred or deported in pursuance of the provisions of this section, attempt thereafter to return to or to enter the United States shall be deemed guilty of a misdemeanor, and shall be imprisoned for not more than two years. Any alien who shall be convicted under any of the provisions of this section shall, at the expiration of his sentence, be taken into custody and returned to the country whence he came, or of which he is a subject or a citizen, in the manner provided in sections twenty and twenty-one of this Act. In all prosecutions under this section the testimony of a husband or wife shall be admissible and competent evidence against a wife or husband."

Approved March 26, 1910.

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DEPARTMENT OF COMMERCE AND LABOR

BUREAU OF IMMIGRATION AND NATURALIZATION

Immigration Laws

and

Regulations of July 1, 1907

Eleventh Edition, December 12, 1910

Embodying Amendments to Rules 5, 5A, 5B, 6, 10, 11, 12, 13, 14, 16, 22, 24, 25, 26, 28 (a and g), 35, 37, and 48

Also White Slave Traffic Act
Approved June 25, 1910

WASHINGTON
GOVERNMENT PRINTING OFFICE
1910

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IMMIGRATION LAWS AND REGULATIONS.

IMMIGRATION ACT OF FEBRUARY 20, 1907.

NOTE.—The Immigration Act of February 20, 1907, repeals the act of March 3, 1903, and all prior acts or parts of acts inconsistent with the new law. In the back of this pamphlet are published such portions of the prior acts as are not repealed by or reenacted in the act of February 20, 1907; also the act of March 2, 1907, regarding expatriation. If necessary to refer to the old acts, they may be found in the pamphlets "Immigration Laws and Regulations" heretofore issued, or in the United States Statutes at Large, as follows:

Note as to acts published herein.

List of immigration acts.

Act approved March 3, 1875: 18 Stat., part 3, page 477.
Act approved August 3, 1882: 22 Stat., page 214.
Act approved June 26, 1884 (sec. 22 only): 23 Stat., page 58.
Act approved February 26, 1885: 23 Stat., page 332.
Act approved February 23, 1887: 24 Stat., page 414.
Act approved October 19, 1888: 25 Stat., page 565.
Act approved March 3, 1891: 26 Stat., page 1084.
Act approved February 15, 1893 (sec. 7): 27 Stat., page 449.
Act approved March 3, 1893: 27 Stat., page 569.
Act approved August 18, 1894: 28 Stat., page 390.
Act approved March 2, 1895: 28 Stat., page 780.
Act approved June 6, 1900: 31 Stat., page 611.
Act approved April 29, 1902: 32 Stat., part 1, page 176.
Act approved March 3, 1903: 32 Stat., part 1, page 1213.
Act approved March 22, 1904: 33 Stat., part 1, page 144.
Act approved April 28, 1904: 33 Stat., part 1, page 591.
Act approved February 3, 1905: 33 Stat., part 1, page 684.

ACT OF FEBRUARY 20, 1907.

AN ACT to regulate the immigration of aliens into the United States.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there shall be levied, collected, and paid a tax of four dollars for every alien entering the United

Head tax:

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Head tax: To whom paid; By whom paid.

States.[a] The said tax shall be paid to the collector of customs of the port or customs district to which said alien shall come, or, if there be no collector at such port or district, then to the collector nearest thereto, by the master, agent, owner, or consignee of the vessel, transportation line, or other conveyance or vehicle bringing such alien to the United States. The money thus collected, together with all fines and rentals[b] collected under the laws regulating the immigration of aliens into the United States, shall be paid into the Treasury of the United States, and shall constitute a permanent appropriation to be called the "immigrant fund," to be used under the direction of the Secretary of Commerce and Labor to defray the expense of regulating the immigration of aliens into the United States under said laws, including the contract labor laws, the cost of reports of decisions of the Federal courts, and digest thereof, for the use of the Commissioner-General of Immigration, and the salaries and expenses of all officers, clerks, and employees appointed to enforce said laws. The tax imposed by this section shall be a lien upon the vessel, or other vehicle of carriage or transportation bringing such aliens to the United States, and shall be a debt in favor of the United States against the owner or owners of such vessel, or other vehicle, and the payment of such tax may be enforced by any legal or equitable remedy. That the said tax shall not be levied upon aliens who shall enter the United States after an uninterrupted residence of at least one year, immediately preceding such entrance, in the Dominion of Canada, Newfoundland, the Republic of Cuba, or the Republic of Mexico, nor upon otherwise admissible residents of any possession of the United States, nor upon aliens in transit through the United States, nor upon aliens who have been lawfully admitted to the United States and who later shall go in transit from one part of the United States to another through foreign contiguous territory:[c] *Provided*, That the Commissioner-General of Immigration, under the direction or with the approval of the Secretary of Commerce and Labor, by agreement with transportation lines, as provided in section thirty-two of this Act, may arrange in some other manner for the payment of the tax imposed by this section upon any or all aliens seeking admission from foreign contiguous territory:[d] *Provided further*, That if in any fiscal year the amount of money collected under the provisions of this section shall exceed two million five hundred thousand dollars, the excess above

Head tax, fines, and rentals, to constitute—

Immigrant fund: For what used.

Head tax: To be lien upon vessel; How payment enforced; Classes exempted from payment of;

Payment on account aliens from contiguous territory;

No more than $2,500,000 to go into Immigrant fund;

[a] For specific exceptions, see Rule 2.

[b] For method of depositing fines and rentals, see Rule 3; for procedure in collecting fines and reporting suits for collection, see Rules 28, 29, and 30.

[c] See paragraph (*g*), Rule 2.

[d] See Rules 2, 25, and 27.

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that amount shall not be added to the "immigrant fund:" *Provided further*, That the provisions of this section shall not apply to aliens arriving in Guam, Porto Rico, or Hawaii; but if any such alien, not having become a citizen of the United States, shall later arrive at any port or place of the United States on the North American Continent the provisions of this section shall apply:[a] *Provided further*, That whenever the President shall be satisfied that passports issued by any foreign government to its citizens to go to any country other than the United States or to any insular possession of the United States or to the Canal Zone are being used for the purpose of enabling the holders to come to the continental territory of the United States to the detriment of labor conditions therein, the President may refuse to permit such citizens of the country issuing such passports to enter the continental territory of the United States from such other country or from such insular possessions or from the Canal Zone.[b]

Head tax:

Exceptions—Guam, Porto Rico, and Hawaii.

Passports:

If limited and used to detriment labor conditions, holders to be rejected.

SEC. 2. That the following classes of aliens shall be excluded from admission into the United States: All idiots, imbeciles, feeble-minded persons, epileptics, insane persons, and persons who have been insane within five years previous; persons who have had two or more attacks of insanity at any time previously; paupers; persons likely to become a public charge;[c] professional beggars; persons afflicted with tuberculosis or with a loathsome or dangerous contagious disease;[d] persons not comprehended within any of the foregoing excluded classes who are found to be and are certified by the examining surgeon as being mentally or physically defective, such mental or physical defect being of a nature which may affect the ability of such alien to earn a living;[c] persons who have been convicted of or admit having committed a felony or other crime or misdemeanor involving moral turpitude; polygamists, or persons who admit their belief in the practice of polygamy, anarchists, or persons who believe in or advocate the overthrow by force or violence of the Government of the United States, or of all government, or of all forms of law, or the assassination of public officials; prostitutes, or women or girls coming into the United States for the purpose of prostitution or for any other immoral purpose; persons who procure or attempt to bring in pros-

Excluded classes:

Idiots, insane, etc.;

Paupers, persons likely to become a public charge;

Diseased;

Mentally or physically defective;

Criminals;

Polygamists;

Anarchists;

Prostitutes, etc.;

[a] See Rule 2.

[b] For President's proclamation and regulations drawn thereunder, see Rule 21.

[c] For provisions for landing under bond persons likely to become public charges and persons certified for physical defects, see Rule 20.

[d] For provision for placing in hospital, "with the express permission of the Secretary," persons afflicted with tuberculosis or with a loathsome or dangerous contagious disease, see Rule 10.

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Excluded classes: titutes or women or girls for the purpose of prostitution or for any other immoral purpose; persons hereinafter

Contract laborers; called contract laborers, who have been induced or solicited to migrate to this country by offers or promises of employment or in consequence of agreements, oral, written or printed, express or implied, to perform labor in this country of any kind, skilled or unskilled; those who have been, within one year from the date of application for admission to the United States, deported as having been induced or solicited to migrate as above described;

Assisted aliens; any person whose ticket or passage is paid for with the money of another, or who is assisted by others to come, unless it is affirmatively and satisfactorily shown that such person does not belong to one of the foregoing excluded classes, and that said ticket or passage was not paid for by any corporation, association, society, municipality, or foreign government, either directly or indi-

Children under 16; rectly; all children under sixteen years of age, unaccompanied by one or both of their parents, at the discretion of the Secretary of Commerce and Labor or under such regulations as he may from time to time prescribe:[a] *Provided*,

Exceptions— That nothing in this Act shall exclude, if otherwise admissible, persons convicted of an offense purely

Offenses political; political, not involving moral turpitude: *Provided further*,

Transits; That the provisions of this section relating to the payments for tickets or passage by any corporation, association, society, municipality, or foreign government shall not apply to the tickets or passage of aliens in immediate and continuous transit through the United States to foreign contiguous territory: *And provided further*,

Skilled labor; That skilled labor may be imported if labor of like kind unemployed can not be found in this country: *And provided*

Actors, artists, etc. *further*, That the provisions of this law applicable to contract labor shall not be held to exclude professional actors, artists, lecturers, singers, ministers of any religious denomination, professors for colleges or seminaries, persons belonging to any recognized learned profession, or persons employed strictly as personal or domestic servants.

Prostitutes: SEC. 3. That the importation into the United States of

Importation or holding penalized; any alien woman or girl for the purpose of prostitution, or for any other immoral purpose, is hereby forbidden; and whoever shall, directly or indirectly, import, or attempt to import, into the United States, any alien woman or girl for the purpose of prostitution, or for any other immoral purpose, or whoever shall hold or attempt to hold any alien woman or girl for any such purpose in pursuance of such illegal importation, or whoever shall keep, maintain, control, support, or harbor in any house or other place, for the purpose of prostitution, or for any other immoral purpose, any alien woman or girl, within three years after she shall have entered the United States,

[a] For regulations, see Rule 5.

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shall, in every such case, be deemed guilty of a felony, and on conviction thereof be imprisoned not more than five years and pay a fine of not more than five thousand dollars; and any alien woman or girl who shall be found an inmate of a house of prostitution or practicing prostitution, at any time within three years after she shall have entered the United States, shall be deemed to be unlawfully within the United States and shall be deported as provided by sections twenty and twenty-one of this Act.[a]

Prostitutes: Deportation of, within three years.

SEC. 4. That it shall be a misdemeanor for any person, company, partnership, or corporation, in any manner whatsoever, to prepay the transportation or in any way to assist or encourage the importation or migration of any contract laborer or contract laborers into the United States, unless such contract laborer or contract laborers are exempted under the terms of the last two provisos contained in section two of this Act.

Contract laborers: Importation of, forbidden;

SEC. 5. That for every violation of any of the provisions of section four of this Act the person, partnership, company, or corporation violating the same, by knowingly assisting, encouraging, or soliciting the migration or importation of any contract laborer into the United States shall forfeit and pay for every such offense the sum of one thousand dollars, which may be sued for and recovered by the United States, or by any person who shall first bring his action therefor in his own name and for his own benefit, including any such alien thus promised labor or service of any kind as aforesaid, as debts of like amount are now recovered in the courts of the United States; and separate suits may be brought for each alien thus promised labor or service of any kind as aforesaid.[b] And it shall be the duty of the district attorney of the proper district to prosecute every such suit when brought by the United States.

Penalty for importing; U. S. attorneys to prosecute suits;

SEC. 6. That it shall be unlawful and be deemed a violation of section four of this Act to assist or encourage the importation or migration of any alien by promise of employment through advertisements printed and published in any foreign country; and any alien coming to this country in consequence of such an advertisement shall be treated as coming under promise or agreement as contemplated in section two of this Act, and the penalties imposed by section five of this Act shall be applicable to such a case: *Provided*, That this section shall not apply to States or Territories, the District of Columbia, or places subject to the jurisdiction of the United States advertising the inducements they offer for immigration thereto, respectively.

Advertising for, forbidden; Exception, in favor States and Territories.

SEC. 7. That no transportation company or owner or owners of vessels, or others engaged in transporting aliens into the United States, shall, directly or indirectly, either by writing, printing, or oral representation, solicit, invite,

Soliciting: Forbidden on part transportation companies;

[a] See paragraph (*c*), Rule 31, and Rules 34–38.
[b] For method of reporting, see Rule 30.

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Soliciting: or encourage the immigration of any aliens into the United States, but this shall not be held to prevent transportation companies from issuing letters, circulars, or advertisements, stating the sailings of their vessels and terms and facilities of transportation therein; and for a violation of this provision, any such transportation company, and any such owner or owners of vessels, and all others engaged in transporting aliens into the United Penalty for. States, and the agents by them employed, shall be severally subjected to the penalties imposed by section five of this Act.

Unlawful landing: SEC. 8. That any person, including the master, agent, owner, or consignee of any vessel, who shall bring into Penalty for. or land in the United States, by vessel or otherwise, or who shall attempt, by himself or through another, to bring into or land in the United States, by vessel or otherwise, any alien not duly admitted by an immigrant inspector or not lawfully entitled to enter the United States shall be deemed guilty of a misdemeanor, and shall, on conviction, be punished by a fine not exceeding one thousand dollars, or by imprisonment for a term not exceeding two years, or by both such fine and imprisonment for each and every alien so landed or brought in or attempted to be landed or brought in.[a]

Fine $100: SEC. 9. That it shall be unlawful for any person, in-
For bringing diseased aliens; cluding any transportation company other than railway lines entering the United States from foreign contiguous territory, or the owner, master, agent, or consignee of any vessel to bring to the United States any alien subject to any of the following disabilities: Idiots, imbeciles, epileptics, or persons afflicted with tuberculosis or with a loathsome or dangerous contagious disease, and if it shall appear to the satisfaction of the Secretary of Commerce and Labor that any alien so brought to the United States was afflicted with any of the said diseases or disabilities at the time of foreign embarkation and that the existence of such disease or disability might have been detected by means of a competent medical examination at such time,

Method of collecting. of such person or transportation company, or the master, agent, owner, or consignee of any such vessel shall pay to the collector of customs of the customs district in which the port of arrival is located the sum of one hundred dollars for each and every violation of the provisions of this section; and no vessel shall be granted clearance papers pending the determination of the question of the liability to the payment of such fine, and in the event such fine is imposed, while it remains unpaid, nor shall such fine be remitted or refunded: *Provided*, That clearance may be granted prior to the determination of such questions upon the deposit of a sum sufficient to cover such fine and costs, such sum to be named by the Secretary of Commerce and Labor.[b]

[a] For method of reporting, see Rule 30.
[b] For method of imposing, see Rule 28.

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Appeals:
Not allowed aliens afflicted with tuberculosis or dangerous contagious diseases.

SEC. 10. That the decision of the board of special inquiry, hereinafter provided for, based upon the certificate of the examining medical officer, shall be final as to the rejection of aliens affected with tuberculosis or with a loathsome or dangerous contagious disease, or with any mental or physical disability which would bring such aliens within any of the classes excluded from admission to the United States under section two of this Act.[a]

Guardian en voyage:
Transportation companies to bear expense of.

SEC. 11. That upon the certificate of a medical officer of the United States Public Health and Marine Hospital Service to the effect that a rejected alien is helpless from sickness, mental or physical disability, or infancy, if such alien is accompanied by another alien whose protection or guardianship is required by such rejected alien, such accompanying alien may also be excluded, and the master, agent, owner, or consignee of the vessel in which such alien and accompanying alien are brought shall be required to return said alien and accompanying alien in the same manner as vessels are required to return other rejected aliens.[b]

Manifests:
Incoming passengers—

SEC. 12. That upon the arrival of any alien by water at any port within the United States,[c] it shall be the duty of the master or commanding officer of the steamer, sailing or other vessel having said alien on board to deliver to the immigration officers at the port of arrival lists or manifests made at the time and place of embarkation of such alien on board such steamer or vessel, which shall, in answer to questions at the top of said list, state as to each alien the full name, age, and sex; whether married or single; the calling or occupation; whether able to read or write; the nationality; the race; the last residence; the name and address of the nearest relative in the country from which the alien came; the seaport for landing in the United States; the final destination, if any, beyond the port of landing; whether having a ticket through to such final destination; whether the alien has paid his own passage or whether it has been paid by any other person or by any corporation, society, municipality, or government, and if so, by whom; whether in possession of fifty dollars, and if less, how much; whether going to join a relative or friend, and if so, what relative or friend, and his or her name and complete address; whether ever before in the United States, and if so, when and where; whether ever in prison or almshouse or an institution or hospital for the care and treatment of the insane or supported by charity; whether a polygamist; whether an anarchist; whether coming by reason of any offer, solicitation, promise, or agreement, express or implied, to perform labor in the United States,

What to contain;

[a] See Rules 6 and 20; also latter part of section 25.
[b] See Rule 12.
[c] For the procurement of manifests from Canadian transportation companies, see paragraph (*e*), Rule 25.

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Manifests:

Outgoing passengers—

and what is the alien's condition of health, mental and physical, and whether deformed or crippled, and if so, for how long and from what cause; that it shall further be the duty of the master or commanding officer of every vessel taking alien passengers out of the United States, from any port thereof, to file before departure therefrom with the collector of customs of such port a complete list of all such alien passengers taken on board.

What to contain;

Such list shall contain the name, age, sex, nationality, residence in the United States, occupation, and the time of last arrival of every such alien in the United States, and no master of any such vessel shall be granted clearance papers for his vessel until he has deposited such list or lists with the collector of customs at the port of departure and made oath that they are full and complete as to the name and other information herein required concerning each alien taken on board his vessel;[a] and any neglect or omission to comply with the requirements of this section shall be punishable as provided in section fifteen of this Act.[b]

Penalty;

With whom deposited;

That the collector of customs with whom any such list has been deposited in accordance with the provisions of this section, shall promptly notify the Commissioner-General of Immigration that such list has been deposited with him as provided, and shall make such further disposition thereof as may be required by regulations to be issued by the Commissioner-General of Immigration with the approval of the Secretary of Commerce and Labor:[c] *Provided*, That in the case of vessels making regular trips to ports of the United States the Commissioner-General of Immigration, with the approval of the Secretary of Commerce and Labor, may, when expedient, arrange for the delivery of such lists of outgoing aliens at a later date:[c] *Provided further*, That it shall be the duty of the master or commanding officer of any vessel sailing from ports in the Philippine Islands, Guam, Porto Rico, or Hawaii to any port of the United States on the North American Continent to deliver to the immigration officers at the port of arrival lists or manifests made at the time and place of embarkation, giving the names of all aliens on board said vessel.[d]

Of aliens from the Philippines, Guam, Porto Rico, and Hawaii;

How made up;

SEC. 13. That all aliens arriving by water at the ports of the United States shall be listed in convenient groups, and no one list or manifest shall contain more than thirty names. To each alien or head of a family shall be given a ticket on which shall be written his name, a number or letter designating the list in which his name, and so forth, is contained, and his number on said list, for convenience

[a] For the procurement of manifests from Canadian transportation companies, see paragraph (*e*), Rule 25.
[b] For method of imposing fine, see Rule 29.
[c] See Rule XXIX, statistical regulations.
[d] See paragraphs (*b*) and (*c*), Rule I, statistical regulations.

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Manifests: To be signed and sworn to by master, as to correctness of contents;

of identification on arrival. Each list or manifest shall be verified by the signature and the oath of affirmation of the master or commanding officer, or the first or second below him in command, taken before an immigration officer at the port of arrival, to the effect that he has caused the surgeon of said vessel sailing therewith to make a physical and oral examination of each of said aliens, and that from the report of said surgeon and from his own investigation he believes that no one of said aliens is an idiot, or imbecile, or a feeble-minded person, or insane person, or a pauper, or is likely to become a public charge, or is afflicted with tuberculosis or with a loathsome or dangerous contagious disease, or is a person who has been convicted of, or who admits having committed a felony or other crime or misdemeanor involving moral turpitude, or is a polygamist or one admitting belief in the practice of polygamy, or an anarchist, or under promise or agreement, express or implied, to perform labor in the United States, or a prostitute, or a woman or girl coming to the United States for the purpose of prostitution, or for any other immoral purpose, and that also, according to the best of his knowledge and belief, the information in said lists or manifests concerning each of said aliens named therein is correct and true in every respect.

To be signed and sworn to by surgeon;

SEC. 14. That the surgeon of said vessel sailing therewith shall also sign each of said lists or manifests and make oath or affirmation in like manner before an immigration officer at the port of arrival, stating his professional experience and qualifications as a physician and surgeon, and that he has made a personal examination of each of the said aliens named therein, and that the said list or manifest, according to the best of his knowledge and belief, is full, correct, and true in all particulars relative to the mental and physical condition of said aliens. If no surgeon sails with any vessel bringing aliens the mental and physical examinations and the verifications of the lists or manifests shall be made by some competent surgeon employed by the owners of the said vessel.[a]

Incoming passengers—

Penalty of $10;

SEC. 15. That in the case of the failure of the master or commanding officer of any vessel to deliver to the said immigration officers lists or manifests of all aliens on board thereof, as required in sections twelve, thirteen, and fourteen of this Act, he shall pay to the collector of customs at the port of arrival the sum of ten dollars for each alien concerning whom the above information is not contained in any list as aforesaid: *Provided*, That in the case of failure without good cause to deliver the list of passengers required by section twelve of this Act from the master or commanding officer of every vessel taking alien passengers out of the United States, the penalty shall be paid to the collector of customs at the port of departure

Outgoing passengers—

Penalty of $10;

[a] See paragraph (*g*), Rule 29.

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Manifests: Aggregate fines not to exceed $100.

and shall be a fine of ten dollars for each alien not included in said list; but in no case shall the aggregate fine exceed one hundred dollars.[a]

Inspection: On board vessel; Landing for, not actual landing;

SEC. 16. That upon the receipt by the immigration officers at any port of arrival of the lists or manifests of incoming aliens provided for in sections twelve, thirteen, and fourteen of this Act, it shall be the duty of said officers to go or to send competent assistants to the vessel to which said lists or manifests refer, and there inspect all such aliens, or said immigration officers may order a temporary removal of such aliens for examination at a designated time and place, but such temporary removal shall not be considered a landing, nor shall it relieve the transportation lines, masters, agents, owners, or consignees of the vessel upon which said aliens are brought to any port of the United States from any of the obligations which, in case such aliens remain on board, would, under the provisions of this Act, bind the said transportation lines, masters, agents, owners, or consignees: *Provided*, That where a suitable building is used for the detention and examination of aliens the immigration officials shall there take charge of such aliens, and the transportation companies, masters, agents, owners, and consignees of the vessels bringing such aliens shall be relieved of the responsibility for their detention thereafter until the return of such aliens to their care.

If placed in station, immigration officers responsible.

Medical examination: To be made by P. H. and M. H. surgeons;

SEC. 17. That the physical and mental examination of all arriving aliens shall be made by medical officers of the United States Public Health and Marine-Hospital Service, who shall have had at least two years' experience in the practice of their profession since receiving the degree of doctor of medicine and who shall certify for the information of the immigration officers and the boards of special inquiry hereinafter provided for, any and all physical and mental defects or diseases observed by said medical officers in any such alien,[b] or, should medical officers of the United States Public Health and Marine-Hospital Service be not available, civil surgeons of not less than four years' professional experience may be employed in such emergency for such service, upon such terms as may be prescribed by the Commissioner-General of Immigration under the direction or with the approval of the Secretary of Commerce and Labor. The United States Public Health and Marine-Hospital Service shall be reimbursed by the immigration service for all expenditures incurred in carrying out the medical inspection of aliens under regulations of the Secretary of Commerce and Labor.

P. H. and M. H. Service to be reimbursed for surgeons' salaries.

Unlawful landing:

SEC. 18. That it shall be the duty of the owners, officers, or agents of any vessel or transportation line, other than

[a] For procedure, see Rule 29.
[b] See Rule 9.

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those railway lines which may enter into a contract as provided in section thirty-two of this Act, bringing an alien to the United States to prevent the landing of such alien in the United States at any time or place other than as designated by the immigration officers, and the negligent failure of any such owner, officer, or agent to comply with the foregoing requirements shall be deemed a misdemeanor and be punished by a fine in each case of not less than one hundred nor more than one thousand dollars or by imprisonment for a term not exceeding one year, or by both such fine and imprisonment;[a] and every such alien so landed shall be deemed to be unlawfully in the United States and shall be deported as provided in sections twenty and twenty-one of this Act.[b]

Unlawful landing:
Exception under sec. 32;
Penalty for;
Deportation of aliens so landed.

SEC. 19. That all aliens brought to this country in violation of law shall, if practicable, be immediately sent back to the country whence they respectively came on the vessels bringing them. The cost of their maintenance while on land, as well as the expense of the return of such aliens, shall be borne by the owner or owners of the vessels on which they respectively came; and if any master, person in charge, agent, owner, or consignee of any such vessel shall refuse to receive back on board thereof, or on board of any other vessel owned or operated by the same interests, such aliens, or shall fail to detain them thereon, or shall refuse or fail to return them to the foreign port from which they came, or to pay the cost of their maintenance while on land, or shall make any charge for the return of any such alien, or shall take any security from him for the payment of such charge, such master, person in charge, agent, owner, or consignee shall be deemed guilty of a misdemeanor and shall, on conviction, be punished by a fine of not less than three hundred dollars for each and every such offense; and no vessel shall have clearance from any port of the United States while any such fine is unpaid:[a] *Provided*, That the Commissioner-General of Immigration, with the approval of the Secretary of Commerce and Labor, may suspend, upon conditions to be prescribed by the Commissioner-General of Immigration, the deportation of any alien found to have come in violation of any provision of this Act, if, in his judgment, the testimony of such alien is necessary on behalf of the United States Government in the prosecution of offenders against any provision of this Act: *Provided*, That the cost of maintenance of any person so detained resulting from such suspension of deportation shall be paid from the "immigrant fund"[c] but no alien certified, as provided in section seventeen of this Act, to be suffering from tuberculosis or from a loathsome or dangerous contagious disease other than one of quaran-

Deportation:
By vessel bringing;
Cost of, and of detention, to be borne by steamship companies;
Penalty for failure to hold, deport, or maintain;
Penalty for taking security.
Witnesses:
Authority to hold;
Cost paid from immigrant fund.
Hospital treatment — by express permission of Secretary:
Of those suffering with tuberculosis or loathsome or dangerous disease.

[a] For method of reporting, see Rule 30.
[b] See paragraph (*d*), Rule 31, and Rules 34–38.
[c] See Rule 14.

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tinable nature shall be permitted to land for medical treatment thereof in any hospital in the United States, unless with the express permission of the Secretary of Commerce and Labor:[a] *Provided*, That upon the certificate of a medical officer of the United States Public Health and Marine-Hospital Service to the effect that the health or safety of an insane alien would be unduly imperiled by immediate deportation, such alien may, at the expense of the "immigrant fund," be held for treatment until such time as such alien may, in the opinion of such medical officer, be safely deported.[a]

Insane aliens: Holding for treatment, expense immigrant fund.

Deportation: Unlawful residents and public charges; How expense of, to be borne.

SEC. 20. That any alien who shall enter the United States in violation of law, and such as become public charges from causes existing prior to landing, shall, upon the warrant of the Secretary of Commerce and Labor, be taken into custody and deported to the country whence he came at any time within three years after the date of his entry into the United States. Such deportation, including one-half of the entire cost of removal to the port of deportation, shall be at the expense of the contractor, procurer, or other person by whom the alien was unlawfully induced to enter the United States, or, if that can not be done, then the cost of removal to the port of deportation shall be at the expense of the "immigrant fund" provided for in section one of this Act, and the deportation from such port shall be at the expense of the owner or owners of such vessel or transportation line by which such aliens respectively came:[b] *Provided*, That pending the final disposal of the case of any alien so taken into custody he may be released under a bond in the penalty of not less than five hundred dollars with security approved by the Secretary of Commerce and Labor, conditioned that such alien shall be produced when required for a hearing or hearings in regard to the charge upon which he has been taken into custody, and for deportation if he shall be found to be unlawfully within the United States.[c]

Bond: Releasing arrested aliens on.

Deportation: Of aliens subject thereto; Penalty against vessels for refusal to deport on warrant;

SEC. 21. That in case the Secretary of Commerce and Labor shall be satisfied that an alien has been found in the United States in violation of this Act, or that an alien is subject to deportation under the provisions of this Act or of any law of the United States, he shall cause such alien within the period of three years after landing or entry therein to be taken into custody and returned to the country whence he came, as provided by section twenty of this Act,[b] and a failure or refusal on the part of the masters, agents, owners, or consignees of vessels to comply with the order of the Secretary of Commerce and Labor to take on board, guard safely, and return to the country whence he came any alien ordered to be deported

[a] See Rule 10.
[b] See Rules 31–37.
[c] See paragraph (*g*), Rule 35.

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under the provisions of this Act shall be punished by the imposition of the penalties prescribed in section nineteen of this Act:[a] *Provided*, That when in the opinion of the Secretary of Commerce and Labor the mental or physical condition of such alien is such as to require personal care and attendance, he may employ a suitable person for that purpose, who shall accompany such alien to his or her final destination, and the expense incident to such service shall be defrayed in like manner.[b]

Deportation:

Attendants for deported persons.

SEC. 22. That the Commissioner-General of Immigration, in addition to such other duties as may by law be assigned to him, shall, under the direction of the Secretary of Commerce and Labor, have charge of the administration of all laws relating to the immigration of aliens into the United States, and shall have the control, direction, and supervision of all officers, clerks, and employees appointed thereunder. He shall establish such rules and regulations, prescribe such forms of bond, reports, entries, and other papers, and shall issue from time to time such instructions, not inconsistent with law, as he shall deem best calculated for carrying out the provisions of this Act and for protecting the United States and aliens migrating thereto from fraud and loss, and shall have authority to enter into contract for the support and relief of such aliens as may fall into distress or need public aid; all under the direction or with the approval of the Secretary of Commerce and Labor. And it shall be the duty of the Commissioner-General of Immigration to detail officers of the immigration service from time to time as may be necessary, in his judgment, to secure information as to the number of aliens detained in the penal, reformatory, and charitable institutions (public and private) of the several States and Territories, the District of Columbia, and other territory of the United States and to inform the officers of such institutions of the provisions of law in relation to the deportation of aliens who have become public charges: *Provided*, That the Commissioner-General of Immigration may, with the approval of the Secretary of Commerce and Labor, whenever in his judgment such action may be necessary to accomplish the purposes of this Act, detail immigration officers, and also surgeons, in accordance with the provisions of section seventeen, for service in foreign countries.

Commissioner-General:

Duties of;

To make contracts for relief of aliens;

To detail officers to investigate public charges;

To detail officers abroad.

SEC. 23. That the duties of the commissioners of immigration shall be of an administrative character, to be prescribed in detail by regulations prepared, under the direction or with the approval of the Secretary of Commerce and Labor.

Commissioners:

Duties of.

SEC. 24. That immigrant inspectors and other immigration officers, clerks, and employees shall hereafter be appointed and their compensation fixed and raised or de-

Employees:

Appointing and promoting.

[a] For method of reporting, see Rule 30.
[b] For procedure for providing attendant, see Rule 37.

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creased from time to time by the Secretary of Commerce and Labor, upon the recommendation of the Commissioner-General of Immigration and in accordance with the provisions of the civil-service Act of January sixteenth, eighteen hundred and eighty-three: *Provided*,

Contract labor laws:
Special provision for enforcement of.

That said Secretary, in the enforcement of that portion of this Act which excludes contract laborers, may employ, without reference to the provisions of the said civil service Act, or to the various Acts relative to the compilation of the official register, such persons as he may deem advisable and from time to time fix, raise, or decrease their compensation. He may draw from the "immigrant fund" annually fifty thousand dollars or as much thereof as may be necessary, to be expended for the salaries and expenses of persons so employed and for expenses incident to such employment; and the accounting officers of the Treasury shall pass to the credit of the proper disbursing officer expenditures from said sum without itemized account whenever the Secretary of Commerce and Labor certifies that an itemized account would not be for the best interests of the Government: *Provided further*,

Commissioners:
Appointing.

That nothing herein contained shall be construed to alter the mode of appointing commissioners of immigration at the several ports of the United States as provided by the sundry civil appropriation Act approved August eighteenth, eighteen hundred and ninety-four, or the official status of such commissioners heretofore appointed.

Immigration officers:
Power and authority of;

Immigration officers shall have power to administer oaths and to take and consider evidence touching the right of any alien to enter the United States, and, where such action may be necessary, to make a written record of such evidence; and any person to whom such an oath has been administered under the provisions of this Act who shall knowingly or wilfully give false evidence or swear to any false statement in any way affecting or in relation to the right of any alien to admission to the United States shall be deemed guilty of perjury and be punished as provided by section fifty-three hundred and ninety-two, United States Revised Statutes.

False swearing before, perjury;
Challenging decision of.

The decision of any such officer, if favorable to the admission of any alien, shall be subject to challenge by any other immigration officer, and such challenge shall operate to take the alien whose right to land is so challenged before a board of special inquiry for its investigation. Every alien who may not appear to the examining immigrant inspector at the port of arrival to be clearly and beyond a doubt entitled to land shall be detained for examination in relation thereto by a board of special inquiry.

Boards of special inquiry:
Detaining aliens for;
Appointing;

SEC. 25. That such boards of special inquiry shall be appointed by the commissioner of immigration at the various ports of arrival as may be necessary for the prompt determination of all cases of immigrants detained at such ports under the provisions of law.[a] Each

[a] See Rule 17 for form of oath of board member.

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board shall consist of three members, who shall be selected from such of the immigrant officials in the service as the Commissioner-General of Immigration, with the approval of the Secretary of Commerce and Labor, shall from time to time designate as qualified to serve on such boards: *Provided*, That at ports where there are fewer than three immigrant inspectors, the Secretary of Commerce and Labor, upon the recommendation of the Commissioner-General of Immigration, may designate other United States officials for service on such boards of special inquiry. Such boards shall have authority to determine whether an alien who has been duly held shall be allowed to land or shall be deported. All hearings before boards shall be separate and apart from the public, but the said boards shall keep a complete permanent record of their proceedings and of all such testimony as may be produced before them; and the decision of any two members of a board shall prevail, but either the alien or any dissenting member of the said board may appeal through the commissioner of immigration at the port of arrival and the Commissioner-General of Immigration to the Secretary of Commerce and Labor, and the taking of such appeal shall operate to stay any action in regard to the final disposal of any alien whose case is so appealed until the receipt by the commissioner of immigration at the port of arrival of such decision which shall be rendered solely upon the evidence adduced before the board of special inquiry: *Provided*, That in every case where an alien is excluded from admission into the United States, under any law or treaty now existing or hereafter made, the decision of the appropriate immigration officers, if adverse to the admission of such alien, shall be final, unless reversed on appeal to the Secretary of Commerce and Labor; but nothing in this section shall be construed to admit of any appeal in the case of an alien rejected as provided for in section ten of this Act.[a]

Boards of special inquiry:
Other officials for;
Authority of;
Hearings before, private.
Appeals:
Manner of taking;
Decision on, based solely upon original evidence;
Unless taken, decision of officers final;
Not allowed in cases rejected under section 10.

SEC. 26. That any alien liable to be excluded because likely to become a public charge or because of physical disability other than tuberculosis or a loathsome or dangerous contagious disease may, if otherwise admissible, nevertheless be admitted in the discretion of the Secretary of Commerce and Labor upon the giving of a suitable and proper bond or undertaking, approved by said Secretary in such amount and containing such conditions as he may prescribe, to the people of the United States, holding the United States or any State, Territory, county, municipality, or district thereof harmless against such alien becoming a public charge. The admission of such alien shall be a consideration for the giving of such bond or undertaking. Suit may be brought thereon in the name and by the proper law officers either of the United States Government or of any State, Territory, district,

Bonds:
Landing under;
In what cases permissible;
Bringing suits upon.

[a] See Rules 5–8.

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county, or municipality in which such alien becomes a public charge.[a]

Suits: Compromising, etc.; SEC. 27. That no suit or proceeding for a violation of the provisions of this Act shall be settled, compromised, or discontinued without the consent of the court in which it is pending, entered of record, with the reasons therefor.

Under former acts not affected hereby. SEC. 28. That nothing contained in this Act shall be construed to affect any prosecution, suit, action, or proceedings brought, or any act, thing, or matter, civil or criminal, done or existing at the time of the taking effect of this Act; but as to all such prosecutions, suits, actions, proceedings, acts, things, or matters the laws or parts of laws repealed or amended by this Act are hereby continued in force and effect.

Courts, circuit and district: Jurisdiction. SEC. 29. That the circuit and district courts of the United States are hereby invested with full and concurrent jurisdiction of all causes, civil and criminal, arising under any of the provisions of this Act.

Exclusive privileges: How granted; SEC. 30. That all exclusive privileges of exchanging money, transporting passengers or baggage, or keeping eating houses, and all other like privileges in connection with any United States immigrant station, shall be disposed of after public competition, subject to such conditions and limitations as the Commissioner-General of Immigration, under the direction or with the approval of the Secretary of Commerce and Labor, may prescribe: *Provided*, That no intoxicating liquors shall be sold in any such immigrant station; that all receipts accruing from the disposal of such exclusive privileges as herein provided shall be paid into the Treasury of the United States to the credit of the "immigrant fund" provided for in section one of this Act.

Proceeds from, to be paid into immigrant fund.

Peace officers: Admission to stations. SEC. 31. That for the preservation of the peace and in order that arrests may be made for crimes under the laws of the States and Territories of the United States where the various immigrant stations are located, the officers in charge of such stations, as occasion may require, shall admit therein the proper State and municipal officers charged with the enforcement of such laws, and for the purpose of this section the jurisdiction of such officers and of the local courts shall extend over such stations.

Commissioner-General: To make rules and contracts for inspection on land boundaries. SEC. 32. That the Commissioner-General of Immigration, under the direction or with the approval of the Secretary of Commerce and Labor, shall prescribe rules for the entry and inspection of aliens along the borders of Canada and Mexico, so as not to unnecessarily delay, impede, or annoy passengers in ordinary travel between the United States and said countries, and shall have power to enter into contracts with transportation lines for the said purpose.[b]

[a] See Rule 20 as to circumstances under which accepted.

[b] For arrangement on Canadian border, see Rule 25; on Mexican border, Rule 27.

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"United States:" Meaning of term.

SEC. 33. That for the purpose of this Act the term "United States" as used in the title as well as in the various sections of this Act shall be construed to mean the United States and any waters, territory, or other place subject to the jurisdiction thereof, except the Isthmian Canal Zone: *Provided*, That if any alien shall leave the canal zone and attempt to enter any other place under the jurisdiction of the United States, nothing contained in this Act shall be construed as permitting him to enter under any other conditions than those applicable to all aliens.

Canal Zone: Inspection of aliens from.

Commissioner: Appointment of, at New Orleans.

SEC. 34. That the Commissioner-General of Immigration, with the approval of the Secretary of Commerce and Labor, may appoint a commissioner of immigration to discharge at New Orleans, Louisiana, the duties now required of other commissioners of immigration at their respective posts.

Deportation: To be to transoceanic ports;

SEC. 35. That the deportation of aliens arrested within the United States after entry and found to be illegally therein, provided for in this Act, shall be to the trans-Atlantic or trans-Pacific ports from which said aliens embarked for the United States; or, if such embarkation was for foreign contiguous territory, to the foreign port at which said aliens embarked for such territory.

Of aliens entering unlawfully.

SEC. 36. That all aliens who shall enter the United States except at the seaports thereof, or at such place or places as the Secretary of Commerce and Labor may from time to time designate, shall be adjudged to have entered the country unlawfully and shall be deported as provided by sections twenty and twenty-one of this Act: *Provided*, That nothing contained in this section shall affect the power conferred by section thirty-two of this Act upon the Commissioner-General of Immigration to prescribe rules for the entry and inspection of aliens along the borders of Canada and Mexico.[a]

Ports of entry: To be designated on land borders.

Admission: Of diseased wife or minor children of alien who has declared intention to become citizen.

SEC. 37. That whenever an alien shall have taken up his permanent residence in this country, and shall have filed his declaration of intention to become a citizen, and thereafter shall send for his wife, or minor children to join him, if said wife or any of said children shall be found to be affected with any contagious disorder, such wife or children shall be held, under such regulations as the Secretary of Commerce and Labor shall prescribe, until it shall be determined whether the disorder will be easily curable, or whether they can be permitted to land without danger to other persons; and they shall not be either admitted or deported until such facts have been ascertained; and if it shall be determined that the disorder is easily curable or that they can be permitted to land without danger to other persons, they shall, if otherwise admissible, thereupon be admitted.[b]

[a] See Rule 38; also paragraph (*g*), Rule 21.
[b] See Rule 11.

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Anarchists: Not to be admitted;

SEC. 38. That no person who disbelieves in or who is opposed to all organized government, or who is a member of or affiliated with any organization entertaining and teaching such disbelief in or opposition to all organized government, or who advocates or teaches the duty, necessity, or propriety of the unlawful assaulting or killing of any officer or officers, either of specific individuals or of officers generally, of the Government of the United States or of any other organized government, because of his or their official character, shall be permitted to enter the United States or any territory or place subject to the jurisdiction thereof. This section shall be enforced by the Secretary of Commerce and Labor under such rules and regulations as he shall prescribe. That any person who knowingly aids or assists any such person to enter the United States or any territory or place subject to the jurisdiction thereof, or who connives or conspires with any person or persons to allow, procure, or permit any such person to enter therein, except pursuant to such rules and regulations made by the Secretary of Commerce and Labor shall be fined not more than five thousand dollars, or imprisoned for not more than five years, or both.[a]

Penalty for assisting to enter.

Immigration Commission: How appointed;

SEC. 39. That a commission is hereby created, consisting of three Senators, to be appointed by the President of the Senate, and three members of the House of Representatives, to be appointed by the Speaker of the House of Representatives, and three persons, to be appointed by the President of the United States. Said commission shall make full inquiry, examination, and investigation by sub-committee or otherwise into the subject of immigration. For the purpose of said inquiry, examination, and investigation, said commission is authorized to send for persons and papers, make all necessary travel, either in the United States or any foreign country, and, through the chairman of the commission or any member thereof to administer oaths and to examine witnesses and papers respecting all matters pertaining to the subject, and to employ necessary clerical and other assistance. Said commission shall report to the Congress the conclusions reached by it and make such recommendations as in its judgment may seem proper. Such sums of money as may be necessary for the said inquiry, examination, and investigation are hereby appropriated and authorized to be paid out of the "immigrant fund" on the certificate of the chairman of said commission, including all expenses of the commissioners and a reasonable compensation, to be fixed by the President of the United States, for those members of the commission who are not members of Congress; and the President of the United States is also authorized, in the name of the Government of the United States, to call, in his discretion, an international conference, to assemble at such point as may be agreed upon, or

Authority and duties;

Expenses of, how paid.

International Conference: President authorized to arrange for;

[a] For method of reporting, see Rule 30.

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to send special commissioners to any foreign country, for the purpose of regulating by international agreement, subject to the advice and consent of the Senate of the United States, the immigration of aliens to the United States; of providing for the mental, moral, and physical examination of such aliens by American consuls or other officers of the United States Government at the ports of embarkation, or elsewhere; of securing the assistance of foreign governments in their own territories to prevent the evasion of the laws of the United States governing immigration to the United States; of entering into such international agreements as may be proper to prevent the immigration of aliens who, under the laws of the United States, are or may be excluded from entering the United States, and of regulating any matters pertaining to such immigration.

International Conference: Purpose of.

SEC. 40. Authority is hereby given the Commissioner-General of Immigration to establish, under the direction and control of the Secretary of Commerce and Labor, a division of information in the Bureau of Immigration and Naturalization; and the Secretary of Commerce and Labor shall provide such clerical assistance as may be necessary. It shall be the duty of said division to promote a beneficial distribution of aliens admitted into the United States among the several States and Territories desiring immigration. Correspondence shall he had with the proper officials of the States and Territories, and said division shall gather from all available sources useful information regarding the resources, products, and physical characteristics of each State and Territory, and shall publish such information in different languages and distribute the publications among all admitted aliens who may ask for such information at the immigrant stations of the United States and to such other persons as may desire the same. When any State or Territory appoints and maintains an agent or agents to represent it at any of the immigrant stations of the United States, such agents shall, under regulations prescribed by the Commissioner-General of Immigration, subject to the approval of the Secretary of Commerce and Labor, have access to aliens who have been admitted to the United States for the purpose of presenting, either orally or in writing, the special inducements offered by such State or Territory to aliens to settle therein. While on duty at any immigrant station such agents shall be subject to all the regulations prescribed by the Commissioner-General of Immigration, who, with the approval of the Secretary of Commerce and Labor, may, for violation of any such regulations, deny to the agent guilty of such violation any of the privileges herein granted.

Information division: Establishment of; Duties and authority of.

State agents: Appointment and stationing at ports; Courtesies to; Control of.

SEC. 41. That nothing in this Act shall be construed to apply to accredited officials of foreign governments nor to their suites, families, or guests.[a]

Foreign officials: Exempted from provisions hereof.

[a] See paragraph (*b*), Rule 2.

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Amendatory of navigation act.

SEC. 42. It shall not be lawful for the master of a steamship or other vessel whereon immigrant passengers, or passengers other than cabin passengers, have been taken at any port or place in a foreign country or dominion (ports and places in foreign territory contiguous to the United States excepted) to bring such vessel and passengers to any port or place in the United States unless the compartments, spaces, and accommodations hereinafter mentioned have been provided, allotted, maintained, and used for and by such passengers during the entire voyage; that is to say, in a steamship, the compartments or spaces, unobstructed by cargo, stores, or goods, shall be of sufficient dimensions to allow for each and every passenger carried or brought therein eighteen clear superficial feet of deck allotted to his or her use, if the compartment or space is located on the main deck or on the first deck next below the main deck of the vessel, and twenty clear superficial feet of deck allotted to his or her use for each passenger carried or brought therein if the compartment or space is located on the second deck below the main deck of the vessel: *Provided*, That if the height between the lower passenger deck and the deck immediately above it is less than seven feet, or if the apertures (exclusive of the side scuttles) through which light and air are admitted together to the lower passenger deck are less in size than in the proportion of three square feet to every one hundred superficial feet of that deck, the ship shall not carry a greater number of passengers on that deck than in the proportion of one passenger to every thirty clear superficial feet thereof. It shall not be lawful to carry or bring passengers on any deck other than the decks above mentioned. And in sailing vessels such passengers shall be carried or brought only on the deck (not being an orlop deck) that is next below the main deck of the vessel, or in a poop or deck house constructed on the main deck; and the compartment or space, unobstructed by cargo, stores, or goods, shall be of sufficient dimensions to allow one hundred and ten cubic feet for each and every passenger brought therein. And such passenger shall not be carried or brought in any between decks, nor in any compartment, space, poop, or deck house, the height of which from deck to deck is less than six feet. In computing the number of such passengers carried or brought in any vessel, children under one year of age shall not be included, and two children between one and eight years of age shall be counted as one passenger; and any person brought in any such vessel who shall have been, during the voyage, taken from any other vessel wrecked or in distress on the high seas, or have been picked up at sea from any boat, raft, or otherwise, shall not be included in such computation. The master of a vessel coming to a port or place in the United States in violation of either of the provisions of this section shall be deemed guilty of a misdemeanor; and if the

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number of passengers other than cabin passengers carried or brought in the vessel, or in any compartment, space, poop, or deck house thereof, is greater than the number allowed to be carried or brought therein, respectively, as hereinbefore prescribed, the said master shall be fined fifty dollars for each and every passenger in excess of the proper number, and may also be imprisoned not exceeding six months. Amendatory of navigation act.

This section shall take effect on January first, nineteen hundred and nine.

SEC. 43. That the Act of March third, nineteen hundred and three, being an Act to regulate the immigration of aliens into the United States, except section thirty-four thereof, and the Act of March twenty-second, nineteen hundred and four, being an Act to extend the exemption from head tax to citizens of Newfoundland entering the United States, and all Acts and parts of Acts inconsistent with this Act are hereby repealed: *Provided*, That this Act shall not be construed to repeal, alter, or amend existing laws relating to the immigration or exclusion of Chinese persons or persons of Chinese descent, nor to repeal, alter, or amend section six, chapter four hundred and fifty-three, third session Fifty-eighth Congress, approved February sixth, nineteen hundred and five, or, prior to January first, nineteen hundred and nine, section one of the Act approved August second, eighteen hundred and eighty-two, entitled "An Act to regulate the carriage of passengers by sea." Repealing clause: Exceptions.

SEC. 44. That this Act shall take effect and be enforced from and after July first, nineteen hundred and seven: *Provided, however*, That section thirty-nine of this Act and the last proviso of section one shall take effect upon the passage of this Act and section forty-two on January first, nineteen hundred and nine. When effective.

Approved February 20, 1907. (34 Stat., pt. 1, p. 898.)

EXTRACT FROM THE SUNDRY CIVIL APPROPRIATION ACT APPROVED MARCH 4, 1909.[a]

"In all, one million two hundred and sixty-six thousand seven hundred and fifty dollars, *which shall include the amount necessary for the medical inspection of aliens, as required by section seventeen of the Act of Congress approved February twentieth, nineteen hundred and seven, and the provision of said section of said Act requiring the reimbursement by the immigration fund for said expenses is hereby repealed.*"

[a] Under caption "Public Health and Marine Hospital Service" (35 Stat., 969).

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ACT APPROVED MARCH 4, 1909.

AN ACT relative to outward alien manifests on certain vessels.[a]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That until the provisions of section twelve of the immigration Act of February twentieth, nineteen hundred and seven, relating to outward alien manifests, shall be made applicable to passengers going out of the United States to Canada by land carriage, said provisions shall not apply to passengers going by vessels employed exclusively in the trade between the ports of the United States and the Dominion of Canada and the Republic of Mexico.

Approved, March 4, 1909.

[a] 35 Stat., 1060.

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IMMIGRATION REGULATIONS.

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DEPARTMENT OF COMMERCE AND LABOR,
BUREAU OF IMMIGRATION AND NATURALIZATION.

Note: Meaning of terms employed.

NOTE.—Wherever, in the following rules, the expression "Immigration Act" is used, it shall be understood to refer to the act entitled "An act to regulate the immigration of aliens into the United States," approved February 20, 1907; and wherever a numbered section is mentioned it shall be understood to refer to the section of that number in said act, unless explicitly stated to the contrary.

Philippine Islands:

Regulations not applicable to.

The following rules do not apply to aliens seeking admission to the Philippine Islands, the administration of the immigration laws and the collection of head tax therein having been vested in the officers of the general government of those islands by section 6 of the act approved February 6, 1905.

RULES RELATING TO HEAD TAX.

Head tax:

Collection of;

Rule 1. *Collection of head tax.*—The head tax imposed by section 1 of the Immigration Act is to be levied and collected in respect of all aliens entering the United States, except such as are described in Rule 2 hereof.

Certification of, to collector;

Upon the arrival of any aliens at any seaport of the United States, the immigration officer in charge shall certify to the collector of customs the number of aliens on account of whom the tax is payable and the name of the person required to pay the same. Upon receipt of such certificate, the collector of customs shall forthwith collect a tax of four dollars for each alien so certified.

Deposit of;

Refundment of;

The tax collected on account of aliens, who are not permitted to land, but are held for examination by a board of special inquiry, and the tax collected on account of aliens permitted to enter for the purpose of passing in transit through the United States, shall be held as a special deposit, to be refunded, in the one case, when an alien detained for examination has been excluded, and in the other, when an alien proceeding in transit through the United States has left the country. The collections so made shall no longer be held on special deposit, but shall be accounted for in the regular manner, in the case of aliens detained for examination, so soon as it shall appear that they are admitted, and, in the case of aliens entering for the purpose of transit, if, at the expiration of sixty days from time of entry, it is not shown that they have passed out of the country.

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The head tax payable on account of aliens entering the United States from foreign contiguous territory shall be levied and collected, at Mexican border ports, according to the provisions of Rule 27 hereof, and at Canadian border ports according to the terms of an agreement between the Commissioner-General of Immigration and certain transportation companies, embodied in Rules 24 and 25 hereof.

Head tax: Collection of, on Mexican and Canadian borders;

Rule 2. *Exemptions from head tax.*—The head tax shall not be levied in respect of the following aliens:

Exemptions from—

(*a*) Aliens who do not enter the United States because excluded from admission thereto by the Immigration Act. (Secs. 1 and 2.)

Excluded aliens;

(*b*) Diplomatic and consular officers and other accredited officials of foreign governments, their suites, families, and guests coming to the United States to reside or to pass through in transit. (Sec. 41.)

Diplomatic officers;

(*c*) Head tax shall not be collected on account of aliens entering the United States from Canada, Newfoundland, Cuba, or Mexico whose legal domicile or bona fide residence was in one of the countries specified for at least one year immediately preceding such entrance if it merely appears that the continuity of their physical presence at their place of residence or domicile was broken by one or more transient and temporary departures therefrom; nor shall head tax be collected on account of such aliens if it merely appears that, instead of entering the United States from Canada, Newfoundland, Cuba, or Mexico directly, they come by way of some other foreign country in which they had made a merely temporary or transient sojourn.

Residents Canada, Newfoundland, Cuba, and Mexico;

(*d*) Head tax shall not be collected on account of aliens reentering the United States from Canada, Newfoundland, Cuba, or Mexico who are citizens thereof but who have acquired a legal domicile or bona fide residence in the United States, and who are returning from a visit to one of the said countries, notwithstanding that the period of a full year has not intervened between the date of their departure from and the date of their return to the United States.

Residents of U. S. temporarily visiting Canada, Newfoundland, Cuba, or Mexico;

(*e*) Aliens, otherwise admissible, who are residents of any possession of the United States, provided at the time of admission to such possession head tax was paid on their account. (Sec. 1.)

Residents insular possessions;

(*f*) Aliens who enter the United States only for the purpose of transit to foreign destinations. Collections made in respect of such aliens will be held on special deposit and will be refunded pursuant to Rules 1 and 41. (Sec. 1.)

Transits;

(*g*) Aliens who have been lawfully admitted to the United States and who later shall go in transit from one part of the United States to another through foreign contiguous territory. Satisfactory evidence of such previous lawful admission and of previous payment of head tax

Aliens in continuous journey;

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Head tax: Exemptions from—

shall be required in the case of aliens on whose behalf this exemption is claimed, as in paragraphs (*c*) and (*d*) of this rule. Personal knowledge on the part of an immigration officer, or a written statement from such an officer based on an examination of official records certifying to the fact of previous entry and payment of tax, will be sufficient. As evidence of the continuity of the transit, production of a dated passenger ticket, where such exists, may be required. (Sec. 1.)

At ports of Guam, Porto Rico, and Hawaii.

(*h*) Aliens arriving in Guam, Porto Rico, or Hawaii; but if any such alien, not having become a citizen of the United States, shall later arrive at any port or place of the United States on the North American Continent the provisions for the levy and collection of head tax shall apply. (Sec. 1.)

Immigrant fund: Accounting for receipts for.

Rule 3. *Accounting for head tax and other receipts.*—All moneys collected on account of head tax, as well as all moneys collected for rentals of exclusive privileges at United States immigrant stations and all moneys collected as fines for violations of the immigration laws (whether imposed by the Department or the courts), shall be deposited to the credit of the Treasurer of the United States on account of miscellaneous receipts, with an assistant treasurer of the United States, or national-bank depositary, in the same manner as other miscellaneous collections are deposited. Separate accounts of the receipts and expenditures of money under the act shall be rendered monthly to the Secretary of the Treasury through the Department of Commerce and Labor on forms to be furnished by the Government for the purpose.

RULES RELATING TO ADMISSION OR EXCLUSION.

Immigration Act: To whom applicable.

Rule 4. *Application of Immigration Act.*—The provisions of the Immigration Act apply to all aliens seeking to enter the United States, except accredited officials of foreign governments, their suites, families, and guests. The act also prescribes the conditions of their admission to or exclusion from the United States, or any waters, territory, or other place subject to the jurisdiction thereof, except the Isthmian Canal Zone. The act becomes effective when such aliens arrive from any foreign country, or other place without the jurisdiction of the United States, or from the Canal Zone. The provisions of the Immigration Act do not apply to aliens who have once been duly admitted to the United States or any waters, territory, or other place subject to the jurisdiction thereof, passing back and forth between the insular possessions and the continental territories of the United States, except aliens coming from the Canal Zone, and except Japanese or Korean laborers coming from Hawaii, with passports limited to Hawaii, Mexico, or Canada. The admission of aliens coming from the Canal Zone is governed by the regulations applicable to aliens generally;

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the admission of Japanese or Korean laborers to the continental territory of the United States is governed by the provisions of the Executive order of the President embodied in Rule 21 hereof.

Examination:

Rule 5. *Examination of aliens.*—(*a*) The appropriate immigration officers shall as to each alien applying to enter the United States determine as promptly as in their estimation the circumstances permit whether or not he is clearly and beyond a doubt entitled to land. If such officers are of the opinion that he is not clearly and beyond a doubt entitled to land, he shall be held for a board of special inquiry, which shall determine his case as promptly as the circumstances permit.

Holding for, by board;

Postponing—

When necessary to place alien in hospital;

(*b*) Where upon arrival or pending determination as to his right to land an alien is placed in hospital suffering from a disability which in the opinion of such officers renders it impracticable correctly to apply the immigration law to his case, inspection may be postponed during the pendency of such disability.

When necessary to place a member of a family in hospital;

(*c*) Where in the estimation of the appropriate immigration officers the cases of members of a family are interdependent, and a member is detained in hospital from a disability of the character described in paragraph (*b*) of this rule, the determination of such cases may be postponed until the member detained in hospital has been discharged therefrom.[a]

Circumstances and conditions under which holding entire family may be avoided;

(*d*) In cases arising under paragraph (*c*) of this rule where the member in hospital is in no manner necessary to the support of the remaining members of the family, and he is presumably eligible to land provided he recover, such remaining members may be forthwith inspected and, if found eligible, landed upon the deposit (1) of a sum of money (or ticket covering transportation and money) sufficient to defray the expenses of conveying the detained member to final destination, and (2) if for infancy or any other cause he may require an attendant when traveling or in process of deportation, of a further sum sufficient to cover the cost of the services and transportation to and fro of such an attendant, unless satisfactory assurances are given that a proper attendant will be furnished without charge to the Government.

[a] Typical instances hereof are (*a*) where the afflicted member is a minor or one otherwise dependent, requiring an accompanying alien in the event of deportation, one or the other parent being the proper person to select for such purpose, and the effect of depriving the remaining members of the family of the care of such parent would be to render some or all of them persons likely to become public charges; (*b*) where the afflicted member is the head of the family and its only bread-winner and his physical condition, due presumably to temporary causes, is such that he could not travel if either admitted or ordered deported and the cases of the remaining members of the family depend upon the disposition made of his case.

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Holding accompanying alien under section 11;

(*e*) Where, in the estimation of the appropriate immigration officials, an alien likely to be rejected as helpless under section 11 arrives accompanied by one or more aliens whose protection or guardianship he will, if rejected, require one of such accompanying aliens (preferably a relative or natural guardian) shall be detained and the determination of his case may be postponed until after that of the alien whom he accompanies.

Children under 16—

Special method of examination;

Rule 5A. *Children under 16 unaccompanied.*—All children under 16 unaccompanied by either parent, neither parent being in the United States, shall be held for special inquiry. The board shall exclude them as a matter of course unless it finds (1) that they are strong and healthy, (2) that while abroad they have not been the objects of public charity, (3) that they are going to close relatives who are able and willing to support and properly care for them, (4) that it is the intention of such relatives to send them to school until they are 16, and (5) that they will not be put at work unsuited to their years. Where the board finds these facts to exist it will so report orally or in writing to the officer in charge and defer final action until such officer has personally inspected the child. If, in his judgment, the child should be admitted, he shall so state to the board (this fact being entered of record), which may thereupon admit. Where, in the opinion of such officer, the child is not clearly admissible, the board shall exclude and give the usual notice of the right of appeal. If thereafter an appeal be filed, the case shall be forwarded with the recommendation either for (*a*) admission outright, (*b*) admission on bond, or (*c*) exclusion.[a]

Appeals:

Aliens to be clearly advised of right to;

When notice of may be rejected.

Rule 5B. *Appeals.*—(*a*) An excluded alien shall be informed that the return voyage is at the expense of the steamship company which brought him. Where an appeal lies, he shall be clearly informed of his right thereto and the fact that he has been so informed shall be entered of record in the minutes. In the discretion of the officer in charge, notice of appeal may be rejected unless given within forty-eight hours after exclusion, or if given within forty-eight hours prior to the sailing of the first vessel by which deportation may be effected where such sailing occurs less than forty-eight hours after exclusion. The officer in charge may reject any appeal filed after an alien excluded by a board has been placed on the vessel for deportation, unless he was so placed to prevent congestion or danger of contagion under Rule 8.

[a] One of the purposes of this rule is to insure that the case of each child under 16, unaccompanied, shall receive the attention of the officer in charge and thus bring about the application of substantially uniform standards as to the admission of those cases which do not reach the Department, as well as prompt admission where admission ought obviously to occur.

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Rejections: Steamship agents to be advised of;

(*b*) The officer in charge shall as promptly as circumstances permit notify the agents of a vessel by which an alien is to be deported of this fact, giving also the cause of rejection, and, if the alien is diseased, disabled, or insane, a statement of his condition.

Form 597 to be used if alien requires special care.

(*c*) If an alien rejected as mentally or physically defective is in such condition as to require special care and attention while being deported, the officer in charge shall, when delivering such alien to the transportation company concerned, deliver also Form 597, properly filled out in accordance with Rule 37 hereof, all requirements of which rule will be observed by the company in so far as applicable here.

Appeals: When permissible;

Rule 6. *Appeals.*—Except as specified in this rule, an appeal may be taken by the alien himself or by a dissenting member of the board from any decision of a board of special inquiry which determines whether an alien shall be admitted or excluded. No appeal is permissible when the decision of the board rejecting an alien *is based upon* a certificate of the examining medical officer which shows—

When not permissible; because decision is based on medical certificate;

(*a*) That the alien is afflicted with tuberculosis or with a loathsome or dangerous contagious disease;

(*b*) That the alien is an idiot, an imbecile, an epileptic, or is insane or feeble-minded;

(*c*) That the alien has been insane within five years previously, or has had two or more attacks of insanity at any time previously;

(*d*) That the alien has any *mental* defect which in the board's opinion may affect his ability to earn a living or render him likely to become a public charge;

(*e*) That the alien has any *physical* defect which in the board's opinion may affect his ability to earn a living or render him likely to become a public charge; but aliens coming within this class may nevertheless be admitted, in the discretion of the Secretary, as provided in Rule 20 hereof.

Discretion of board of inquiry under section 10;

Boards of special inquiry in reaching decisions "based upon the certificate of the examining medical officer" are to be governed by the following considerations: It is "the decision of the board of special inquiry" which is made unappealable in certain cases by section 10, and not "the certificate of the examining medical officer." In arriving at a decision, therefore, the board is required to exercise its own discretion in determining whether or not it will "base" the same upon the certificate of the examining medical officer. Where the decision of the board is expressly "based" upon medical certificates of the character specified by section 10, no appeal is allowed by the act. But whether the board will so "base" its decision

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will naturally depend upon the circumstances of the case.[a]

Application for landing under bond and Appeals:

If the defect for which certified is *physical*, not *mental*, and, on consideration of the whole case, the board's decision is that such physical defect is one which may affect his ability to earn a living or render him likely to become a public charge, and the alien is otherwise admissible, he should be given an opportunity to make application for landing under bond in accordance with Rule 20.

If, on the other hand, the board's conclusion is that the defect is not of such a nature as to affect the ability of the alien to earn a living or render him likely to become a public charge, considering all the facts surrounding his case, and that the alien is otherwise admissible, the board should land the alien unconditionally; or, if the board's conclusion is that the alien should be rejected, not solely because of the certificate but on the basis of all the facts and circumstances, the alien should be rejected and advised of his right to appeal in the usual manner.

Distinction drawn between;

To summarize so much of the foregoing as relates to the distinction between *appeals* and applications for admission under *bond:*

When a board concludes that an alien is "liable to be excluded because likely to become a public charge or because of physical disability other than tuberculosis or a loathsome or dangerous contagious disease," and such conclusion is not based *solely upon the medical certificate, the board should render a decision, from which decision the alien has the right of appeal.*

But when the board reaches such conclusion upon the basis solely *of the medical certificate, no decision should be rendered, but the alien should be given an opportunity to apply for admission under bond in accordance with Rule 20.*

[a] For example, when the medical certificate shows that an alien is affected with tuberculosis or with a loathsome or dangerous contagious disease, or when it shows that an alien is an idiot, an imbecile, or an epileptic, or is insane or feeble-minded, the board of special inquiry is virtually forced to "base" its decision upon that certificate, the reason being that whether or not an alien is so affected is purely a matter of medical science and not such a matter as to which a board of laymen can be expected to reach an intelligent conclusion.

Where the medical certificate states that an alien is affected with any mental defect or physical defect (other than those above named), either of which defects is of a nature that might affect the ability of the alien to earn a living or make him likely to become a public charge, or when the medical certificate states that the alien has been insane within five years previously, or has had two or more attacks of insanity at any time previously, the question to be determined is a practical one quite as much as a medical one, and boards of special inquiry should not only receive and carefully consider the certificate of the medical officer, but should likewise consider all the facts and surrounding circumstances of the case, and from the case as a whole reach their own conclusion as to whether the defect is of a nature which may, considering all the circumstances of the case, affect his ability to earn a living or render him likely to become a public charge, or whether the alien has actually been afflicted in the past.

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Rule 7. *Appeals, procedure.*—Notice of appeal shall act as a stay of all proceedings until a final decision is rendered by the Secretary; and, within forty-eight hours after the filing of such notice, the complete record of the case shall be forwarded to the Commissioner-General of Immigration by the immigration officer in charge at the port of arrival, accompanied by his views thereon in writing; but on such appeal of any case to the Secretary no evidence will be considered which has not already been passed upon in said case by a board of special inquiry at the original hearing, or upon a rehearing if so ordered. (See sec. 25.) If, to prevent a miscarriage of justice, additional time is granted to the friends or counsel of an appealing alien, the said immigration officer may require the deposit of a sum of money sufficient to defray the cost of maintaining appellant during the additional time thus allowed.

Appeals:
Notice of, to act as stay of deportation;
Evidence considered on;
Granting additional time for;

Rule 8. *Appeals, procedure.*—The commissioner of immigration or the immigration officer in charge at the port of application shall enter of record the name of every alien found upon examination to be within any of the prohibited classes, with a statement of the decision in each case; and if such decision be appealed from immediately upon the receipt from the Department of its conclusions thereupon the alien shall be landed or deported in accordance with such conclusion. If a landing is refused on appeal, the master, agent, consignee, or owner of the vessel by which the said alien arrived shall be notified by the commissioner or officer in charge, and advised that the alien will be placed aboard the vessel of the line involved next sailing, for deportation. The commissioner or officer in charge at a port of entry where a detention station is located may, immediately upon exclusion, place debarred aliens on board the vessel by which they are to be deported, if in his judgment such action is necessary to prevent congestion or danger of contagion in such station. (See Rule 5.)

Making record of;
Notifying steamship of dismissal of.

Rule 9. *Medical examination.*—Officers of the United States Public Health and Marine-Hospital Service (or, if such officers are not available, civil surgeons of not less than four years' professional experience) are required by section 17 of the Immigration Act to make a physical and mental examination of all arriving aliens, and to certify for the information of immigration officers any and all physical and mental defects or diseases observed by them. Every officer of such Service detailed for this duty shall, subject to the instructions of the Surgeon-General of the Public Health and Marine-Hospital Service, be under the direction of the immigration officer in charge of the port to which he may be detailed.

Medical examination:
What surgeons to conduct;

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Medical examination:

Certificates covering, contents of—

The certificate of the medical officer shall state the physical or mental defect or disease observed, specifying the name by which it is known in common speech as well as the name by which it is known in medicine; and the certificate shall also state:

Insane within 5 years;

(*a*) Where an alien is certified as having been insane within five years previous, or as having had two or more attacks of insanity at any time previously, how the previous existence of the malady has been ascertained (sec. 2);

Contagious diseases;

(*b*) Where an alien is certified as being afflicted with a loathsome or dangerous contagious disease, that the disease named is in fact a loathsome or dangerous contagious disease, and is or is not of a quarantinable nature (secs. 2, 19);

Mental and physical defects;

(*c*) Where an alien is certified as having a mental or physical defect of a nature which may affect his ability to earn a living, or as being likely to become a public charge by reason of any mental or physical disability, the bearing of such mental or physical shortcoming upon the customary occupation of the alien and upon his general capacity for useful employment, whether such defect is of a temporary or permanent nature, and whether the deficiency of the alien has been corrected by artificial or educational means (secs. 2, 10, 26);

When hospital treatment required;

(*d*) Where an alien is certified for permission to land for medical treatment in any hospital of the United States, or where it is certified that the health or safety of an insane alien would be unduly imperiled by immediate deportation, that the alien is not suffering from tuberculosis or from a loathsome or dangerous contagious disease of a nonquarantinable nature, and the probable duration of the alien's detention in hospital, asylum, or elsewhere (sec. 19);

For helplessness;

(*e*) Where an alien is certified as being helpless from sickness, mental or physical disability, or infancy, whether such alien requires the protection or guardianship of an attendant (secs. 11, 21);

Wives and minor children;

(*f*) Where the wife or minor children of an alien who has declared his intention to become a citizen are certified as being affected with any contagious disorder, whether such disorder is a loathsome or a dangerous one, the probable length of time needed to determine whether the disorder will be easily curable, and whether they can be permitted to land without danger to other persons (sec. 37); and

Persons afflicted at time foreign embarkation.

(*g*) Where an alien is certified as being an idiot, imbecile, epileptic, or afflicted with tuberculosis or with a loathsome or dangerous contagious disease, whether the alien was so afflicted at the time of foreign embarkation, whether the existence of the disease or disability might have been detected by means of a competent medical examination at such time, how the previous condition of the alien has been ascertained, and the ground for believing

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that it might have been detected by a competent examination.

Rule 10. *Hospital treatment under section 19.*—(*a*) Where an alien has been excluded by decision of a board of special inquiry and the order for the return of the alien has been suspended, or where an alien is held, pending the determination of his case, by order of court, to await transportation, on account of his health, because his testimony is required in the prosecution of offenders against the act, or for some other cause, an application may be made, accompanied by the certificate of the medical examiner, to the Secretary of Commerce and Labor for permission to allow the landing of the alien for hospital treatment or other appropriate care or attention.

Landing for hospital treatment:

Conditions under which permissible;

(*b*) Such an application will be granted as of course where it is certified by the medical examiner that the health or safety of an insane alien would be unduly imperiled by immediate deportation, or where it is manifest to the commissioner of immigration, or the immigration officer in charge, that the condition of the alien requires immediate hospital treatment. In such cases, pending the decision of the Secretary, hospital treatment or other appropriate care or attention shall be immediately afforded.

Evidence required, in urgent cases—

(*c*) In all other cases the application will not be granted unless it clearly appears from the report of the commissioner of immigration, or the immigration officer in charge, or from other evidence accompanying the application, that such a course is necessary to meet the ends of justice and humanity.

—in other cases;

(*d*) Applications to land for medical treatment in a hospital of the United States by the "express permission" of the Secretary, made by or on behalf of aliens certified to be suffering from tuberculosis or from a loathsome or dangerous contagious disease (sec. 19), must be accompanied by a certificate of a Public Health and Marine-Hospital surgeon showing the exact character and extent of the malady with which the alien is suffering and estimating the duration of the treatment that will be required to effect a cure. The alien making the application, or the person making it in his behalf, shall deposit with the commissioner of immigration, or inspector in charge, a sum of money sufficient to cover the cost of affording the alien treatment for the period of time estimated in the above-mentioned certificate (and give satisfactory assurances that further deposit will be remitted if needed), if such estimated period does not exceed sixty days; and, in the event the estimate is for more than said time, a deposit shall be made sufficient to cover treatment for sixty days, and satisfactory assurances given that at least fifteen days prior to the expiration of said period a further deposit will be made sufficient to cover cost of treatment for thirty days additional and a remittance of a similar amount fifteen days prior to the expiration of

By "express permission" of Secretary:

Evidence required;

Landing for hospital treatment:

By "express permission" of Secretary;

Deposits required—money and transportation;

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the period covered by this deposit, and so on until the alien is cured and allowed to proceed, or the case otherwise disposed of. The said alien, or person interested in his behalf, shall also be advised that failure in any instance to comply with this requirement will result in deportation by the next sailing of the line involved. There shall also be deposited by the alien, or by the person making the application in his behalf, a sum of money (or transportation ticket and money) sufficient to defray the expense of forwarding the alien, if and when eventually cured, to his destination within the United States; and, in the event that such alien is a person who, by reason of infancy or other cause, will require the care of an attendant while traveling, such deposit shall be sufficient to also cover the expense of detailing an employee of the Immigration Service to accompany the alien to his destination, and the cost of the return of such employee to his or her station, or satisfactory assurances must be given that such an attendant will be furnished by the person making the application. The certificate above mentioned shall be forwarded to the Bureau of Immigration and Naturalization, accompanied by a report of the circumstances of the case, sufficiently detailed to enable the Department to determine whether there are present any peculiar conditions that render the exercise of its authority necessary to meet the ends of justice and humanity. Such reports shall also show whether the deposits and assurances hereinbefore mentioned have been made and given, describing the character of the assurances. If the application is granted by the Department the alien will be permitted to enter a hospital for treatment. Should such treatment extend over a period exceeding sixty days and the deposit to cover any succeeding thirty-day period not be promptly forthcoming as above required, the fact of such failure shall be immediately reported to the Department in order that instructions for the deportation of the alien may issue. When any alien so detained is cured and allowed to proceed to destination, such amount as remains unexpended of the deposit or deposits made on his account shall be returned to the depositor and his receipt taken therefor.

Procedure regarding alien and deposits;

Not admission.

(*e*) The landing or detention of an alien for the purpose contemplated by this rule shall not be construed in any manner to alter the status of the alien with reference to his right to enter or remain in the United States. (Sec. 19.)

Wives and children of domiciled aliens;

Landing of, for treatment;

Rule 11. *Hospital treatment under section 37.*—Where, upon the arrival of the wife or minor child or children sent for by an alien who has declared his intention to become a citizen, or of the minor child or children of a naturalized citizen, born abroad prior to his naturalization, such wife, child, or children are found to be afflicted with a contagious disorder and it can not be immediately determined whether the disorder will be easily curable,

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they shall be held until a determination can be had, and an application may be made, accompanied by the certificate of the medical examiner, to the Secretary of Commerce and Labor for permission to allow the landing of such wife or child for hospital treatment or other appropriate care or attention. In such cases, where necessary, pending the decision of the Secretary, hospital treatment or other appropriate care or attention shall be immediately afforded. This application or the accompanying papers must clearly show that the husband or father has actually taken up his permanent residence in this country and has actually filed his declaration of intention to become a citizen of the United States, or has actually been naturalized, and that he is in fact the husband or father of the alien in question. Nothing contained herein shall be taken as in any manner affecting the liability of transportation companies under section 9, or as altering the status of the aliens concerned with reference to their admission or exclusion. (See Rules 5 and 10.)

Wives and children of domiciled aliens:

Evidence required.

Rule 12.[a]

Rule 13. *Detention expenses.*—(*a*) The appropriate immigration officers may conduct the inspection of aliens (including medical examination and examination before boards of inquiry), and detain them or order them detained pending determination of their right to land and after exclusion, either on the vessel or at any other place to which they may be temporarily removed by the direction or with the consent of such immigration officers. Whenever a temporary removal of aliens is made to a building existing for their detention and examination, or to any hospital, or elsewhere, such removal shall not be regarded in any sense as a landing, and the steamship company concerned shall pay all expenses incident to or involved in such removal and detention (excepting only where removal or detention occurs under the terms of any of the provisos of section 19 or of section 37), irrespective of whether the aliens removed or detained are subsequently admitted or deported; such expenses to include those of maintenance, treatment, and care in hospital, medical treatment elsewhere, burial in the event of death, and transfer to the vessel in the event of deportation. Where aliens are fed under an exclusive privilege (section 30), the expenses of maintenance shall be deemed the charges at which the privilege holder agrees to furnish them food, except that the cost of any special food found by the surgeon to be required by an alien in feeble health (but not detained in hospital) may be an additional expense of maintenance. At ports where the Immigration Service maintains hospitals the hospital expenses shall be such as are fixed by the Commissioner-General of Immi-

Detention expenses:

Aliens to be detained either on vessel or in a station;

Removal to station not a "landing," and steamships responsible for all expenses;

How charges are fixed;

[a] The old rule of this number has been amended and combined with Rule 5.

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Detention expenses.

gration, and at other hospitals they shall be such as are fixed by the authorities thereof.

Of an accompanying alien;

(*b*) If in the judgment of the officer in charge, based upon the expressed opinion of a surgeon, it is necessary for the proper care of an alien removed to hospital or as a measure of humanity to place with him there an attendant or accompanying alien, the cost of the latter's detention in hospital must be borne in the same manner as is the cost of treating the disabled alien.

Steamships may be required to obligate themselves for payment of;

(*c*) Immigration officers are under no obligation to order the removal of aliens from a vessel for inspection or hospital treatment until the steamship companies have obligated themselves in a manner satisfactory to such officers for the payment of the expenses hereinbefore referred to, and at their option they may require payment in advance, or security, for each and every one thereof; and for failure on the part of a steamship company at any time during the course of detention to pay such expenses, the aliens may be returned to the vessel.

If not paid aliens may be returned to vessel;

When to be borne by Government—

(*d*) Detention expenses shall be borne by the Government in cases of (1) aliens held as witnesses under section 19 and (2) insane aliens whose health or safety would be unduly imperiled by immediate deportation (section 19).

—by the alien;

They shall be borne by the alien always where he is treated by "express permission" of the Secretary under section 19 (Op. Compt. Jan. 15, 1908); and preferably

—by either Government or alien;

by the alien, but by the immigration appropriation under special authority (1) where it is necessary to hold the alien *after admission* in accordance with Rule 15, and (2) in the cases of wives and minor children of aliens who have filed their declaration of intention to become citizens, and of minor children of naturalized citizens born abroad prior to the naturalization of the parent, where such cases are covered by section 37 (Op. Compt. Jan. 15, 1908; see also Rule 11).

Presenting bills for.

(*e*) Bills pertaining to any of the expenses in this rule mentioned shall be presented to the steamship companies responsible monthly, or oftener at the option of the officer in charge. Where such expenses are not in respect of services rendered by privilege holders, private hospitals or other third parties, the officer in charge may require the bills covering the same to be first submitted to him for approval.

Witnesses:

Rule 14. *Holding aliens as witnesses under section 19.*—

Holding aliens to act as.

In recommending that an alien be held to testify against persons violating the immigration act, detailed reasons for the recommendation should be given. If deportation is thereupon stayed by the Department, the case must be promptly reported to the United States attorney with request that, if he decides to institute proceedings, arrangements be at once made either to take the deposition of the alien or to secure an order from the court for his detention as a witness, as the nature of the proceed-

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ings may require.[a] If the United States attorney decides not to prosecute, or the alien's testimony is taken by deposition, or it is not possible to promptly secure an order of court for the holding of the alien, such fact shall be reported to the Department, so that an order of deportation may issue without delay.

Assisting and protecting aliens: Providing means in case of accident.

Rule 15. *Assistance to admitted aliens.*—Any alien who has been admitted may be permitted to wait for friends or remittances upon payment by him of the actual expenses incurred by reason of such delay. In case such an alien is unable, from accident or other unavoidable circumstances, to immediately continue his journey, and is without sufficient means to defray the expense of his enforced delay, the commissioner of immigration may, in his discretion, pay said expense, reporting said case to the Bureau of Immigration and Naturalization, with reasons for his action, and request that such expense be repaid out of the "appropriation for the enforcement of the immigration act."

Rule 16.[b]

Members of boards of special inquiry: Oath to be taken by.

Rule 17. *Oath, board of special inquiry.*—Any immigration or other government officer appointed to serve on a board of special inquiry under the provisions of section 25 of the Act approved February 20, 1907, shall be required to subscribe to the following oath:

FORM 566. DEPARTMENT OF COMMERCE AND LABOR,
IMMIGRATION SERVICE.

I, ..., having been designated by to serve as a member of a board of special inquiry, under the provisions of section 25 of the act of Congress approved February 20, 1907, do solemnly that I will use my best endeavors as a member of such board to enforce the laws of the United States relating to the admission or exclusion of certain classes of aliens, and that I will well and faithfully discharge the duties of the office mentioned.

.....

.....: and subscribed before me this day of, A. D. 19...

[Official seal.]

.....

Attorneys: Fees to be charged by;

Rule 18. *Appearance of attorneys.*—Attorneys and persons appearing in behalf of detained aliens shall not be permitted to charge a sum exceeding ten dollars in each case unless the commissioner or officer in charge shall, in writing, allow an additional compensation. A family or party of aliens traveling together shall be regarded as constituting a "case" within the meaning hereof. If for any special reason an attorney deems himself entitled to

[a] One of the reasons for this requirement is a desire to avoid the hardship that would result from holding the alien after exclusion has been determined upon without some arrangement being effected whereby he may receive witness fees. Such fees can not be granted by the Department, but under certain conditions are allowed by a court.

[b] The old rule of this number has been amended and combined with Rule 13.

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Attorneys:

a larger fee, or if it is actually necessary for such attorney to incur expense in an alien's behalf, he shall report such facts to the commissioner or officer in charge when applying for the privilege of charging an additional fee or claiming reimbursement for expenses, and, if permission is granted, shall collect such additional fee or expenses only through the commissioner or officer in charge. Any-one charging an alien a fee prior to his detention, or charging or receiving from an alien or his relatives or friends a fee, gift, or compensation for his services in excess of the above rate, except in the manner provided, or who shall deprive an alien of any part of his chattels or effects in lieu of, or as security for, said fee, will, upon reasonable proof of such misconduct, and after having been allowed a fair opportunity to answer the charge, be disbarred by the Department (to which a full report of the matter shall be made) from practicing at any immigration station of the United States. The names and addresses of attorneys or other persons so disbarred shall be conspicuously posted at the immigration station where the misconduct occurred and their names recorded in the office of the Commissioner-General of Immigration.

Method of disbarring for misconduct;

Keeping record of.

Notice of sailings:

Masters of vessels to give.

Rule 19. *Notice of sailings.*—The master, agent, owner, or consignee of any vessel on which aliens are brought to the United States shall, at least twenty-four hours in advance thereof, notify the commissioner of immigration or officer in charge of the intended time of sailing of such vessel, in order that such officer may place on board the vessel every alien brought thereon who has been finally refused a landing.

Admissions under bond:

Rule 20. *Admissions under bond.*—If, in following the provisions of Rule 6 hereof relating to appeals, *the board of special inquiry reaches the conclusion* that an alien in whose case a medical certificate for some *physical* defect, other than tuberculosis or a loathsome or dangerous contagious disease, has been rendered *is* excludable solely because such certified physical defect is, in the board's opinion, "of a nature which may affect the ability of such alien to earn a living," or render him liable to become a public charge, but that such alien is otherwise admissible, and, after notice of his right to do so, the alien signifies (within the time specified by Rule 5 hereof) an intention to apply for admission under bond, the board shall not enter an excluding decision against the alien as in other cases, but shall make a special finding of fact in the premises and report the same, including the certificate of the medical examiner, to the immigration officer in charge, who shall forward the report, together with his recommendation, to the Secretary of Commerce and Labor, through the Commissioner-General of Immigration. (See secs. 10 and 26 and Rule 6.)

Cases in which permissible;

Procedure for;

If, in the exercise of the discretion conferred by law, the Secretary decides to admit the alien, a bond will be

Amount of bond;

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required in an amount which in no case shall be less than five hundred dollars. The sureties thereto shall be parties of known and ascertained responsibility and approved by the commissioner of immigration or immigration officer in charge. The bond shall be executed in duplicate on forms supplied by the Bureau, but shall not be accepted until landing of the alien under bond is authorized by the Department.

Admissions under bond:

Sureties on bond;

Bond to be in duplicate;

If, within a reasonable time, not to exceed thirty days, after the receipt of the Department's authority for the landing of an alien under bond, there is not forthcoming bond with acceptable sureties, that fact, and all others that may have a bearing upon the matter, shall be reported to the Department, with request for instructions; and if in any such case the former decision of the Department is reversed, the alien shall then be formally rejected by the board.

Procedure if bond not forthcoming.

Rule 21. *Japanese and Korean laborers.*—The following rule is promulgated for the purpose of giving effect to an executive order of the President issued on March 14, 1907, reading:

Japanese and Korean laborers:

Whereas, by the act entitled "An act to regulate the immigration of aliens into the United States," approved February 20, 1907, whenever the President is satisfied that passports issued by any foreign government to its citizens to go to any country other than the United States or to any insular possession of the United States or to the Canal Zone, are being used for the purpose of enabling the holders to come to the continental territory of the United States to the detriment of labor conditions therein, it is made the duty of the President to refuse to permit such citizens of the country issuing such passports to enter the continental territory of the United States from such country or from such insular possession or from the Canal Zone;

President's proclamation concerning;

And Whereas, upon sufficient evidence produced before me by the Department of Commerce and Labor, I am satisfied that passports issued by the Government of Japan to citizens of that country or Korea and who are laborers, skilled or unskilled, to go to Mexico, to Canada and to Hawaii, are being used for the purpose of enabling the holders thereof to come to the continental territory of the United States to the detriment of labor conditions therein;

I hereby order that such citizens of Japan or Korea, to wit: Japanese or Korean laborers, skilled and unskilled, who have received passports to go to Mexico, Canada or Hawaii, and come therefrom, be refused permission to enter the continental territory of the United States.

It is further ordered that the Secretary of Commerce and Labor be, and he hereby is, directed to take, through the Bureau of Immigration and Naturalization, such measures and to make and enforce such rules and regulations as may be necessary to carry this order into effect.

(*a*) Aliens from Japan and Korea are subject to the general immigration laws.

Subject to general immigration laws;

(*b*) Every Japanese or Korean laborer, skilled or unskilled, applying for admission at a seaport or at a land-border port of the United States and having in his possession a passport issued by the Government of Japan, entitling him to proceed only to Mexico, Canada, or Hawaii, shall be refused admission.

Limited passports held by:

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Japanese and Korean laborers: Presumptions concerning;

(*c*) If a Japanese or Korean laborer applies for admission and presents no passport, it shall be presumed (1) that he did not possess when he departed from Japan or Korea a passport entitling him to come to the United States, and (2) that he did possess at that time a passport limited to Mexico, Canada, or Hawaii.

Passports to U. S. or unlimited;

(*d*) If a Japanese or Korean alien applies for admission and presents a passport entitling him to enter the United States or one which is not limited to Mexico, Canada, or Hawaii, he shall be admitted, if it appears that he does not belong to any of the classes of aliens excluded by the general immigration laws.

Evidence as to status of;

(*e*) If a Japanese or Korean alien applies for admission and presents a passport limited to Mexico, Canada, or Hawaii, and claims that he is not a laborer, either skilled or unskilled, reasonable proof of this claim shall be required in order to permit him to enter the United States.

Appeal by;

(*f*) When a Japanese or Korean alien is rejected as being a skilled or unskilled laborer holding a passport limited to Mexico, Canada, or Hawaii, he shall be allowed the right of appeal to the Secretary of Commerce and Labor under the same conditions as attach to aliens rejected under the general immigration laws.

Arrest of;

(*g*) If a Japanese or Korean skilled or unskilled laborer is found in the continental territory of the United States without having been duly admitted upon inspection, the procedure employed under the general immigration laws for the arrest and hearing of aliens who have entered the United States surreptitiously shall be observed, to the end that the right of such alien to be and remain in the United States may be determined; and if it shall appear that such alien falls within the class excluded by the foregoing Executive order, and has entered the United States since the 14th of March, 1907, the said alien shall be deported according to the provisions of sections 20, 21, and 35 of the act of Congress approved February 20, 1907.

Deportation of;

Right of, to communicate with diplomatic officers;

(*h*) In case any Japanese or Korean is detained or denied admission by virtue of the foregoing Executive order, he shall, in addition to being informed of his right of appeal to the Secretary of Commerce and Labor, be advised that he may communicate by telegraph or otherwise with any diplomatic or consular officer of his Government, and shall be afforded opportunities for so doing.

Courtesy and consideration due to;

(*i*) The officials of the Department charged with the enforcement of the immigration laws are instructed that in the execution of this rule scrupulous care shall be taken to see that the courtesy and consideration which the Department requires in the case of all foreigners, of whatever nationality, are shown to those affected by this rule. All officers of this Department are hereby warned that no discrimination will be tolerated, and that those coming under this rule must be shown every

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courtesy and consideration to which the citizens of most-favored nations are entitled when they come to the United States. Japanese and Korean laborers:

(*j*) For practical, administrative purposes, the term "laborer, skilled and unskilled," within the meaning of the Executive order of March 14, 1907, shall be taken to refer primarily to persons whose work is essentially physical, or, at least, manual, as farm laborers, street laborers, factory hands, contractors' men, stable men, freight handlers, stevedores, miners, and the like; and to persons whose work is less physical, but still manual, and who may be highly skilled, as carpenters, stone masons, tile setters, painters, blacksmiths, mechanics, tailors, printers, and the like; but shall not be taken to refer to persons whose work is neither distinctively manual nor mechanical, but rather professional, artistic, mercantile, or clerical, as pharmacists, draftsmen, photographers, designers, salesmen, bookkeepers, stenographers, copyists, and the like. The foregoing definition is subject to change, and will not preclude the Secretary of Commerce and Labor from deciding each individual case which comes to him by way of appeal in accordance with the particular facts and circumstances thereof. Definition of term "laborer, skilled and unskilled;"

(*k*) Passports presented by Japanese and Koreans shall be plainly indorsed, in indelible ink, by the officer admitting or rejecting the applicant, in such a manner as to show the fact and date of admission or rejection, the name of the officer being signed to such indorsement; after which the passport shall be returned to the person by whom presented. Indorsement of passports.

Rule 22. In consideration of the necessities of commerce and navigation, it has been held that foreign seamen arriving at the ports of the United States, and landing therein in the pursuit of their calling, are not ordinarily within the operation of the immigration act (23 Op. Atty. Gen., 521; 207 U. S., 120). But in order that this exemption shall not avail to permit the introduction into the United States of aliens excluded therefrom by the said act, it is necessary to observe the following distinctions between foreigners who are seamen and other aliens: Seamen: Why examination of necessary;

A seaman is any person employed to serve in any capacity on board any vessel plying between foreign ports and ports of the United States, whose occupation consists in following the sea, and who lands in the United States with no intention of remaining, and not otherwise than on shore leave, or on the business of his vessel, or for the purpose of reshipping. Who are seamen;

Aliens, members of the crew of vessels engaged in the coastwise trade of the United States, are aliens within the meaning of the immigration act and subject to its provisions (Ops. Solr., June 14, 1907, and Sept. 16, 1907). In coastwise trade;

Aliens, though members of the crew of vessels engaged in the foreign trade, if their employment terminates at Discharged;

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Seamen:

the end of the voyage to the United States, or if discharged in a port of the United States, are to be treated as seamen only if it appears that they intend to reship on a vessel bound to a foreign port, or to depart from the country within a reasonable time.

Deserting;

Aliens, though members of the crew of vessels engaged in the foreign trade, if they desert their ship, shall, until the contrary is shown, be deemed to have abandoned their calling, and to be no longer seamen, within the meaning of this rule.

Found in United States otherwise engaged;

Aliens, though landing in the United States as seamen, if found thereafter engaged in any occupation not connected with the business of a vessel to which they are attached, or if found to be public charges, shall be treated as other aliens are treated, and shall be liable to deportation in like manner and for like causes.

Application of act to;

In the application of the immigration act to aliens, members of the crew of vessels engaged in the foreign trade of the United States, the following instructions will be observed:

General procedure regarding—

(*a*) Aliens coming to the United States as members of the crew of any vessel, who are found to be seamen as herein defined, shall not be examined by officers of the Immigration Service further than may be necessary to determine their status as seamen, and to ascertain that they are not insane, idiots, imbeciles, epileptics, or persons afflicted with tuberculosis or with a loathsome or dangerous contagious disease; head tax shall not be certified on their account; they shall not be prevented from landing temporarily in the United States, nor required to land at any designated time or place; neither shall any manifest of them be required, nor shall they necessarily be returned to the country whence they came by the vessels bringing them. Alien seamen, however, who are insane, idiots, imbeciles, epileptics, or persons afflicted with tuberculosis or with a loathsome or dangerous contagious disease, and the existence of whose disease or disability might have been detected by means of a competent medical examination at the time of foreign embarkation, are persons whose employment on board vessels is in nowise necessary to commerce and navigation, and who are, accordingly, not within the exception in favor of seamen, because not within the reason thereof. The bringing of such seamen to the United States, therefore, is unlawful by the terms of section 9.[a]

To what extent examined;

If mentally or physically afflicted, not considered *bona fide;*

All seamen to be primarily inspected;

(*b*) All aliens coming to the United States as members of the crew of a vessel, who, for any of the reasons hereinbefore mentioned, are found not to be seamen as herein defined, shall in no respect be distinguished, by reason of their present employment, from other aliens seeking admission into the United States; but it shall be the duty of the inspectors and medical officers detailed for the

[a] For manner of assessing fine in such cases, see paragraph (*g*), Rule 28.

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purpose to determine whether such aliens are clearly and beyond doubt entitled to land, and to hold for examination by a board of special inquiry such as are not so entitled, and to follow the same procedure as in the case of alien passengers seeking to land, including the certification of head tax on account of those landed.

Seamen: *General procedure regarding—*

(*c*) In case any alien employee of a vessel is found by the immigration officials not to be a *bona fide* seaman seeking to land in the pursuit of his calling, and is declared by such officials inadmissible under the immigration act, the master, owner, agent, or consignee of such vessel will be required, subject to the penalties imposed by said act, to prevent the landing of such inadmissible alien and to return him to the country whence he came.

If not *bona fide*, must not be landed;

(*d*) Head tax shall not be assessed on account of *bona fide* seamen landing in the pursuit of their calling. On account of such as are discharged with the intent to remain in the United States, and on account of those who are found or shown to have deserted and remained in the United States, the head tax shall be assessed.

Head tax not assessable on if *bona fide;*

(*e*) Of such aliens employed on board vessels as are found by the immigration officials not to be *bona fide* seamen, or not to be seeking to land in the regular course of their pursuit with intent to continue their calling, the immigration officials shall prepare lists, in lieu of manifests, for use in compiling statistics, indicating in such lists that the alien applicants therein enumerated arrived at the port as employees of a vessel.

Manifests of not *bona fide;*

(*f*) If, upon the arrival of a vessel from a foreign port, it is discovered that any alien member of the crew of such vessel is ill or disabled to such an extent as to make it obligatory upon the master of the vessel, under the navigation laws of the country to which the vessel belongs, to return the seaman to the country where he embarked, immigration officials shall confer with the master and with the consular representative of the country to which the vessel belongs, with the object of perfecting plans by which the master may be able to observe the laws of his own country without making possible or encouraging a violation of the immigration laws of the United States. If the disabled seaman relinquishes his calling, he shall be treated like any other alien seeking admission to the United States; and if, upon being brought before a board of special inquiry, his rejection is ordered the master of the vessel shall be required to return him by such vessel, or at his own expense, to the country where he embarked. If the seaman does not relinquish his calling, or if the master desires to return him otherwise than by the vessel on which he arrived, it will be permissible for him to pass through the United States, in transit to the country where he embarked, by the most expeditious and direct route: *Provided*, That (if he is suffering with a loathsome or dangerous contagious

Procedure if ill and law of vessel's country requires return home;

Care to be exercised concerning, when ill and allowed transit;

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Seamen:
General procedure regarding—

disease, or with tuberculosis, or is in such physical or mental condition as to render him a person likely to become a public charge or otherwise inadmissible) arrangements are made for his proper care while passing through the country, and a sum of money sufficient to defray the expenses thereof is furnished by the master of the vessel. This being a provision made in the interest of trade, and because of the peculiar position occupied by seamen under principles of international comity, immigration officials shall exercise care to insure a thorough understanding with all parties concerned, that violations of the immigration laws may be provided against, and that the spirit of foreign laws may be observed.

Special procedure concerning, to be followed in lieu of general procedure if agreed to by vessel—

(*g*) With a view to the more efficient enforcement of the immigration law with respect to foreign crews, and for the greater convenience both of officers of the Immigration Service and of the commercial interests involved, the following special procedure will be observed in cases where the master, agent, owner, or consignee of any vessel engaged in the foreign trade of the United States shall give satisfactory assurances of ability and willingness to comply with the conditions thereof:

Mental and physical examination of, at foreign ports;

1. The master, owner, agent, or consignee of any such vessel shall enforce at its foreign ports of departure and call a rigid medical examination of aliens seeking employment on such vessel which will insure the rejection of any and all applicants suffering with any mental or physical affliction which would make them inadmissible to the United States under section 2, or would render the vessel liable to the fine mentioned in section 9 of the immigration act. Any failure on the part of any vessel to enforce such a medical examination in the case of any member of the crew, coming to the knowledge of an officer of the Immigration Service, shall be promptly reported to the Department for appropriate action.

Report of prospective discharge of, in United States ports;

2. In any case in which an alien seaman is not employed or articled for the return trip voyage to and away from the United States, and in any case in which it becomes necessary for any reason to discharge an alien member of a crew, the master, owner, agent, or consignee of the vessel shall notify the commissioner of immigration or the immigrant inspector in charge at the port of such necessity in due season to permit the inspection and examination of such alien under the provisions of the immigration act.

Regulation of shore leave, and reporting suspicious cases of;

3. Masters, owners, agents, and consignees of such vessels shall enforce in the ports of the United States regulations on the subject of shore leave which will prevent as far as possible the permanent landing of alien members of the crew before inspection by the immigration authorities. They shall, also, furnish the immigration authorities with the names of aliens employed on their vessels of the *bona fides* of whose intention to follow the sea they have any reason to doubt, and shall afford

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opportunity for the inspection of such aliens; and, except by express permission of the Immigration Service, they shall under no condition grant shore leave or permit the landing of alien seamen who are insane, idiots, imbeciles, epileptics, or persons afflicted with tuberculosis or with a loathsome or dangerous contagious disease.

Seamen: *Special procedure concerning, to be followed in lieu of general procedure if agreed to by vessel—*

4. When desertions occur, the master, agent, owner, or consignee of the vessel shall promptly notify the local immigration authorities of the name and description of the deserter, and any other information obtainable which would aid in the apprehension of such deserter, to the end that he may be returned to the vessel for conveyance to the foreign port of shipment.

Reporting desertions of, and apprehending deserters;

Where the foregoing conditions have been faithfully complied with, and satisfactory evidence thereof has been presented, of the sufficiency of which the Secretary of Commerce and Labor shall be the sole judge, the master, agent, owner, or consignee will be deemed to have provided a "competent medical examination" of the vessel's crew at the time of foreign embarkation within the meaning of section 9, and will be deemed to have taken reasonable precautions to prevent the landing of alien members of the crew within the meaning of section 18; and the special procedure prescribed in the several articles of this paragraph (*g*) will be followed.

Presumptions in favor of vessels under special procedure.

Rule 23. *Stowaways.*—The Immigration Act contains no provision expressly relating to stowaways. Such persons must be dealt with, therefore, if they seek admission to the United States, precisely as other aliens are dealt with.

Stowaways: To be treated like other aliens.

Alien stowaways must be reported and manifested by the masters of vessels, immediately upon arrival at a port of the United States, in the same manner as other aliens: *Provided, however,* That the name of every such person shall be followed by the word "stowaway." Head tax shall be certified on their account, and they shall be examined under the Immigration Act touching their right to enter the United States.

Rule 24. *Ports of entry, Canada.*—In accordance with section 36, the following are named as Canadian border ports of entry for aliens; and any alien who enters the United States across such border at any other point shall be deemed to have entered the country unlawfully, and shall be arrested and deported under sections 20, 21, and 35 of said act, in the manner provided by Rule 34 hereof: Eastport, Calais, Vanceboro, Fort Kent, Fort Fairfield, Van Buren, Houlton, and Lowelltown, Me.; Beechers Falls, N. H.; Island Pond, Newport, Richford, St. Albans, Swanton, and Alburg, Vt.; Rouses Point, Malone, Fort Covington, Nyando, Ogdensburg, Morristown, Clayton, Cape Vincent, Charlotte, Olcott, Lewiston, Madawaska, Niagara Falls, and Buffalo, N. Y.; Cleveland and Toledo, Ohio; Detroit, St. Clair, Port Huron, and Sault Ste. Marie, Mich.; Chicago, Ill.; Duluth, Ranier, Interna-

Ports of entry, Canada: List of.

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tional Falls, Warroad, Beaudette, and Noyes, Minn.; Hannah, Pembina, Neche, Walhalla, Portal, and St. John, N. Dak.; Sweet Grass and Gateway, Mont.; Porthill and Eastport, Idaho; Marcus, Oroville, Sumas, and Blaine, Wash.

Canadian agreement: Admission under;

Rule 25. *Admission and exclusion, Canadian ports.*—In view of the agreement between the various steamship and railroad companies in the Dominion of Canada and the Commissioner-General of Immigration of the United States of America, inspection and entry of aliens into the United States from foreign countries, through Canadian territory, under the Immigration Act, will be accomplished in accordance with the following provisions:

Seaports of inspection;

(*a*) All aliens arriving in Canada, destined to the United States, shall be inspected at any one of the following ports: Halifax, Nova Scotia; Quebec and Point Levi, Quebec; St. John, New Brunswick; and Vancouver and Victoria, British Columbia; and the holders of certificates, duly signed by the United States commissioner of immigration for Canada, shall be entitled to admittance to the United States, at any one of the places of entry along the border thereof named in Rule 24, without further examination by the United States immigration officers as to their right to enter, upon their identification and their surrender of said certificates to such officials.

Certificates of admission;

(*b*) The said certificate shall be in the following form:

Alien certificate. No.....

Form of;

FORM 524. DEPARTMENT OF COMMERCE AND LABOR,
IMMIGRATION SERVICE,
....., ...

This is to certify that....., a native of, who arrived at the port of..... per steamship "....." on the, 19.., has been duly inspected and registered, and will be admitted into the United States upon proper identification and surrender of this certificate to any immigration officer at the frontier.

The description of the holder is as follows: Age, ...; height, ...; weight, ...; color of hair, ...; color of eyes, ...

Remarks: [Note destination, etc.].....

.....

.....

.....

U. S. Commissioner of Immigration.

Surrendered at, to Inspector, 19...

Seaport examination by inspectors and boards;

(*c*) The examination at Canadian ports of all aliens destined to the United States shall be similar in all respects to that conducted at ports of the United States. Such aliens as, in the opinion of the examining inspector, are not clearly entitled to admission shall be taken before a board of special inquiry, the decision of which shall be final, unless reversed upon appeal, as provided for in section 25.

Deportation of rejected aliens;

(*d*) All aliens arriving at Canadian seaports, destined to the United States and who may be adjudged inadmis-

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sible thereto, shall be refused the certificates herein called for, and the steamship company bringing such aliens to such Canadian seaport shall be required to return them to the countries from which they respectively came. Canadian agreement;

(*e*) The masters, owners, or agents of vessels bringing aliens to Canadian ports, destined to the United States, shall be required to furnish to the United States immigrant inspectors in charge at such ports complete manifests and alphabetical books of all alien passengers arriving upon vessels of their respective lines, and, in addition thereto, complete manifests of all alien passengers destined to the United States such as are now required by law in the cases of vessels bringing aliens to the ports of the United States; and the said masters, owners, or agents shall pay to the United States commissioner of immigration for Canada the sum of four dollars for each and every alien brought to a Canadian port and destined to the United States: *Provided*, That no head tax shall be levied against or collected from Canadian steamship lines on aliens brought to Canada, destined to the United States, who are shown to belong to any one of the excluded classes and who are returned to the country whence they came. In addition to the foregoing, the Canadian steamship companies will furnish to the United States commissioner of immigration for Canada (for transmission to the Commissioner-General of Immigration) manifests of all passengers not citizens of the United States leaving the United States and proceeding by the vessels of such companies to foreign ports, as required in the cases of United States transportation companies by section 12. Manifests of incoming passengers; Payment of head tax; Manifests of outgoing passengers;

(*f*) All aliens of the class upon whom head tax is chargeable not provided with certificates of the character described in paragraph (*a*) hereof who shall apply at the border between Canada and the United States within one year after arriving at a Canadian port shall be required to return to such port, or to any one of the ports designated in paragraphs (*a*) and (*f*) hereof, for guaranty of payment of head tax, examination, and the procurement of the certificate described in paragraph (*a*): *Provided*, That any alien, whether of a class upon whom head tax is chargeable or otherwise, who desires to enter the United States from the Dominion of Canada, may be required by any immigrant inspector having a doubt as to alien's admissibility, to appea. for examination before a board of special inquiry located at any of the following points: Halifax and Yarmouth, Nova Scotia; Calais and Houlton, Me.; St. John, New Brunswick; Quebec and Montreal, Quebec; Newport, Vt.; Buffalo, Niagara Falls, and Lewiston, N. Y.; Cleveland and Toledo, Ohio; Detroit, Port Huron, and Sault Ste. Marie, Mich.; Chicago, Ill.; Duluth and International Falls, Minn.; Winnipeg, Mani- Certificates of admission; Appearance before board required; Location of boards;

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Canadian agreement:

toba; Portal, N. Dak.; Sweet Grass and Gateway, Mont.; Eastport, Idaho; Marcus, Sumas, and Blaine, Wash.; and Vancouver and Victoria, British Columbia. That the decisions of the said boards of special inquiry shall have the same force and effect as decisions rendered by boards of special inquiry at seaports of the United States.

Transoceanic deportation when required;

That the various steamship lines shall return at their own expense, from some seaport of the Dominion of Canada or of the United States, as they may deem most practicable and may elect, to the trans-Atlantic or trans-Pacific country whence the aliens came, those aliens coming within the provisions of this paragraph who are shown to belong to any of the excluded classes mentioned in section 2, whenever in the judgment of the Secretary of Commerce and Labor the deportation of such aliens in the manner described is deemed necessary to safeguard the interests of the United States.

Facilities at seaports;

(*g*) All facilities in the way of accommodations, access to aliens, and the keeping of aliens apart from the public until after inspection shall be afforded to the immigrant inspectors of the United States at the Canadian ports of landing to enable them to make such inspection as is required by the laws of the United States.

Certificates of admission;

(*h*) It is expected that the railway and other transportation companies in the Dominion of Canada will not sell to any aliens en route to any part of the United States tickets for their transportation, or transport them in cars

Prerequisite to transportation;

or vessels from the port of entry, until after they have exhibited their certificates as herein provided, and will not knowingly transport into the United States any rejected or undesirable aliens or those who are by law prohibited from entering said country, but will return the

Returning aliens not holding certificates of admission;

rejected aliens to the ports at which they arrived. All aliens on account of whom the transportation companies are exempted from payment of head tax, who proceed to the border between the Uinited States and Canada without having first been examined and granted a certificate of admission of the character described in paragraph (*a*) hereof, and who may be excluded by a border board of special inquiry, shall be returned by the transportation company carrying said aliens to the border a

Examination before boards;

reasonable distance in Canada from said border. Aliens of the class last above mentioned carried to a border point where there is no board of special inquiry shall be returned and conveyed for examination to the nearest point at which a board of special inquiry is located.

Deportation of excluded and deportable classes;

(*i*) The various steamship lines, parties to the Canadian agreement, shall return at their own expense, at any time within three years from the date of landing in Canada, from some Canadian port, or when that is not practicable from some port of the United States, such aliens as, having been brought into the Dominion of Canada upon their respective lines and having subse-

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quently proceeded to the United States, are shown to belong to any one of the excluded or deportable classes mentioned in the act of Congress approved February 20, 1907, whenever deportation of such an alien is ordered by the Secretary of Commerce and Labor. Canadian agreement;

(*j*) The immigration regulations adopted by the Department of Commerce and Labor relating to the examination of aliens at ports of the United States shall apply, in so far as may be practicable, to the inspection of aliens coming through the Dominion of Canada destined to the United States. Application of regulations to aliens coming through Canada;

(*k*) All aliens of the taxable class seeking to enter the United States from Canada or Newfoundland shall be denied examination under the United States immigration laws (except to a sufficient extent to determine their liability for head tax) until they present to the examining officer or officers a certificate from a duly appointed agent of the transportation company bringing such aliens to the border, guaranteeing that responsibility for the payment of head tax on account of such aliens will be assumed by said transportation company, certificate guaranteeing payment of head tax being returnable to the applicant for admission in the event of his exclusion, such certificate before its return to the alien to have the word "Rejected" stamped or written in red ink across its face. Guaranteeing payment of head tax; Returning head-tax certificate;

(*l*) All moneys collected as provided in paragraph (*e*) hereof shall be transmitted by the United States commissioner of immigration for Canada to an assistant treasurer of the United States in the same manner as other miscellaneous collections are reported by collectors of customs of the United States, to be deposited to the credit of the Treasurer of the United States on account of the "immigrant fund." Statement of such receipts, under this agreement, must be rendered monthly to the Secretary of Commerce and Labor, on forms provided for that purpose. Disposition of head tax collected in Canada;

(*m*) Said United States commissioner of immigration for Canada shall give bond to the United States in the sum of ten thousand dollars, with sureties approved by the Secretary of Commerce and Labor, conditioned for the faithful discharge of his duties and the remittance of above collections. He shall make monthly reports to the Commissioner-General of Immigration, upon blanks to be furnished by the Department of Commerce and Labor, of all aliens arriving at stations under the jurisdiction of the said commissioner of immigration. Commissioner bonded;

(*n*) United States officers charged with the execution of the immigration laws and regulations along the Canadian border will, at the end of each month and from time to time as may be required, report in writing to the United States commissioner of immigration for Canada, upon blanks to be prescribed by him, the number of aliens passing through their respective ports of entry and the Canadian ports at which they landed, and the said commissioner of immigration for Canada will make to the Reports from Canadian border.

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Commissioner-General of Immigration similar reports in consolidated form, comprising both ocean and border ports.

Ports of entry, Mexico: List of.

Rule 26. *Ports of entry, Mexico.*—In accordance with section 36, the following are named as Mexican border ports of entry for aliens, and any alien who enters the United States across such border at any other point shall be deemed to have entered the country unlawfully, and shall be arrested and deported, under sections 20, 21, and 35 of said act, in the manner provided by Rule 34 hereof:

Mexican border: Inspection along;

Brownsville, Hidalgo, Laredo, Eagle Pass, Del Rio, and El Paso, Tex.; Douglas, Naco, and Nogales, Ariz.; and Andrade, Calexico, and Tia Juana, Cal.

Rule 27. *Admission and exclusion, Mexico.*—Aliens applying for admission at the Mexican border ports of entry named in Rule 26 are subject to examination in the same manner and to the same extent as though arriving at seaports, except in the following particulars:

Blanks to be used in collecting statistics and head tax;

(*a*) In the cases of aliens who are brought to said ports by a transportation or bridge company statistical data shall be gathered and information as to the manner in which head tax, if taxable, is to be assessed indicated by the use of a blank form reading as follows:

Report of inspection.

FORM 548. DEPARTMENT OF COMMERCE AND LABOR,
IMMIGRATION SERVICE, Serial No. ...
MEXICAN BORDER DISTRICT.

Manifest List No.
Line..... PORT OF.....,
Arrived via..... (*Date*)....., 19..

Personal description.						Place of birth.
Height.		Complexion.	Color of—		Marks of identification.	
Feet.	Inches.		Hair.	Eyes.		
						
						

Name, ...; Accompanied by; Sheet No. ..; Age, ..; Sex, ..; Married or single, ..; Occupation, ..; Read, ..; Write, ..; Nationality, ...; Race, ...; Last residence, ...; Name and address of nearest of kin in country from whence alien came, ...; Final destination, ...; Ticket, ...; Passage paid by; Money, ...; Ever in U. S.?; Where?; When?; Going to join; Name and address, ...; Ever in prison, etc.?; Polygamist, ...; Anarchist, ...; Contract laborer, ...; Health, ...; Transit, ...; Head tax assessable against.....
Action by primary inspector.....
Immigrant*,
Statistical* *Inspector.*
Nonimmigrant*,
Nonstatistical* *Interpreter.*

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CHARACTER OF HEAD TAX ASSESSED. Mexican border:

Straight* Special deposit* (Rule No. ..) Refund certified†.....

ACTION BY BOARD OF SPECIAL INQUIRY.

Hearing held Serial No.
.....† Admitted.....* Deferred, ...
.....† Debarred.....* Cause, ...

ACTION BY DEPARTMENT.

Appeal: Sustained..† Dismissed..† Authority.. Received..†
Domicile: Allowed....† Denied.....† Authority.. Received..†
Bond: Granted....† Denied.....† Authority.. Received..†
Final action (character of), ... Date, ...
Detained (cause), ...from.....to....., incl.

*Strike out inappropriate headings. †Insert date.

(b) The above blank shall be used by every officer of the immigration service making examinations of aliens brought to Mexican border ports by transportation or bridge companies, and shall be filled out completely in each case and delivered to the inspector in charge at the port of entry, who will thereupon compile from such forms a detailed notice to the collector of customs, upon blanks which will be provided, reading as follows: Use of above blank; Blanks for reporting aliens subject to head tax;

Statement of aliens subject to head tax.

FORM 549. DEPARTMENT OF COMMERCE AND LABOR,
IMMIGRATION SERVICE,
MEXICAN BORDER DISTRICT.
OFFICE OF,
PORT OF,
....., 19...

COLLECTOR OF CUSTOMS,
.....
.....

SIR: I hereby certify that head tax has been incurred by[a] on account of alien passenger arriving by on this date, and duly admitted:

Alien subject to head tax at $4 each, as follows:
.....
.....
..... $.....

Amount to be deposited on account of alien in transit (Rule 41) and held as special deposit (Treasury decision 24439), as follows: [b]
.....
.....
..... $.....

Amount to be deposited on account of alien held for examination by board of special inquiry (Rule 1) and held as special deposit: [b]
.....
.....
..... $.....

Total..... $.....

.....
(Name.)
.....
(Title.)

[a] Give train number and state mode of transportation.
[b] Names of aliens and their manifest numbers must be given.

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Mexican border:
Examination concerning funds in alien's possession.

(*c*) In the cases of taxable aliens who cross the border by other than regular (bridge or railway) transportation as a preliminary to regular examination under the laws, such alien shall be questioned only sufficiently to determine with precision whether, in the event that full examination should show him to be admissible, he is in financial condition to pay the four dollars head tax. If found to be in possession of sufficient funds in this respect, the examination may be completed, and if the alien is found eligible he shall be required to pay the head tax before being permitted to land; the blanks above given to be used for the purpose of certifying the head tax to the collector of customs.

Fines:
On account diseased aliens—
Manner of imposing;

Rule 28. *Fine, bringing of diseased aliens.*—As a means of enforcing the collection of any fine imposed under the provisions of section 9 of the Immigration Act, the said section directs the refusal of clearance papers to any vessel bringing an alien diseased as described therein to a port of the United States. To avoid, on the one hand, the denial of reasonable time to the master, agent, owner, or consignee to show cause why such fine should not be imposed and, on the other hand, the loss of the summary and effective means provided for the collection of such fines, the following instructions will be observed:

Contents of medical certificates concerning;

(*a*) The certificate of the medical examiner in the case of an alien afflicted with idiocy, imbecility, epilepsy, tuberculosis, or a loathsome or dangerous contagious disease shall state whether, in his judgment, the existence of such disability or disease might have been detected by a competent medical examination at the port of foreign embarkation.

Notification;

(*b*) Upon the receipt of a medical certificate in compliance with the preceding paragraph hereof, the commissioner of immigration or inspector in charge at the port of arrival shall *at once* serve notice upon the master, agent, owner, or consignee of the vessel upon which such alien arrived in the following form, printed blanks for that purpose to be procured from the Department, viz:

Form of notice; *Notice of liability for fine on account of bringing diseased alien to the United States.*

FORM 507. DEPARTMENT OF COMMERCE AND LABOR,
IMMIGRATION SERVICE,
[Prepare in triplicate.] OFFICE OF.....,
PORT OF....., ...,19..

To.....
..... of the steamship
[Master, agent, owner, or consignee.]
.....

In conformity with the requirements of Rule 28 of the Immigration Regulations, you are hereby notified that the certificate of the examining surgeon, based upon a physical examination of the alien whose

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name is shown herein, indicates that a fine should be imposed under the provisions of section 9 of the Immigration Act approved February 20, 1907. Fines: *On account diseased aliens—*

If you desire a hearing as to whether a fine should be imposed in this instance, you will be allowed sixty days from the date of this notice for that purpose, and the vessel on which the said alien arrived will be granted clearance papers when she is ready to sail and allowed to proceed upon her outward-bound voyage, upon condition that you deposit with the collector of customs at this port, prior to her sailing, the sum of one hundred dollars as security for the payment of the said fine, should it be imposed.

Name of alien.	Steamship.	Disease.
.....		

.....
[Name.]
.....
[Official title.]

Received the above notice....., 19.., at M.
[Time.]

.....

(Witness:)

.....

(*c*) The notification shall be prepared in triplicate, the original to be delivered by an employee of the Immigration Service at the office of the master, agent, owner, or consignee to whom it is addressed, said employee to witness the signature of the recipient. Receipt of service shall be indorsed upon the duplicate and triplicate, the duplicate to be returned to the office of the commissioner of immigration or inspector in charge and preserved as proof of delivery, and the triplicate to be delivered to the collector of customs, who will withhold clearance papers until the deposit is made. Disposition of notice;

(*d*) The special deposit of one hundred dollars required to stay action for the period of sixty days shall be made to the collector of customs for the district wherein the port of arrival is located before such sailing, and in default thereof all further proceedings shall be discontinued and the facts certified to the Bureau of Immigration and Naturalization by first mail, together with the medical certificate and duplicate notice, in order that such action may be taken as the evidence requires. Deposit;

(*e*) If, after service of the notice as provided in paragraph (*b*) of this circular, the deposit of one hundred dollars has been made in conformity with the said notice, the commissioner of immigration or inspector in charge shall suspend further proceedings until the submission of the evidence offered to show why the said fine should not be imposed, or until the lapse of the specified period of sixty days thereafter. When the said evidence has been submitted it shall be forwarded, together with the certificate of the examining surgeon and duplicate notice, to the Commissioner-General of Immigration, for presentation to the Secretary of Commerce and Labor, by the said commissioner or inspector in charge, who shall at the same time present his written views as to whether the said fine should be imposed. If no evidence is submitted prior to the expiration of the said sixty days, then said Stay of action

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Fines: *On account diseased aliens—* commissioner or inspector in charge shall report the case, without such evidence, for action by the Secretary of Commerce and Labor.

Final proceedings; (*f*) Upon receipt of the decision of the Secretary of Commerce and Labor, a copy thereof shall be forwarded to the collector of customs, together with such data as may enable him to identify the special deposit made in that particular case. If the said decision imposes the fine, the one hundred dollars deposited as security shall be accounted for by the said collector in the usual manner as a fine; if the decision holds that the penalty has not been incurred, the collector of customs shall return to the depositor the amount deposited as security.

Exceptional proceedings concerning alien seamen. (*g*) All cases of alien seamen believed to fall within the preceding provisions shall, before requiring the special deposit, be completely reported to the Department, and only upon receipt of instructions from it shall this rule be enforced in such cases. (See also paragraph (*a*), Rule 22.)

For nonmanifesting— **Rule 29.** *Fine, failure to deliver manifests.*—If the master or commanding officer of any vessel bringing aliens to a United States port fails to deliver to the immigration officers at such port lists or manifests, as required by sections 12, 13, and 14, and it therefore becomes necessary to collect the fine imposed by section 15, the following instructions shall be observed:

Notice and procedure as to incoming passengers; (*a*) Written notice, clearly setting forth the particulars in which the lists or manifests are deficient, shall be served upon the steamship company concerned, allowing such company the period of sixty days from date of notice within which to place before the Department, through the local immigration officials, such evidence, if any, as said company may possess to show cause why the statutory penalty should not be collected. Copies of such notices and the responses thereto shall be kept of record, and shall be forwarded to the Department in the event the collection of the penalty is protested; and in no protested case shall suit be instituted to enforce collection until the Department has rendered a decision directing that collection be made.

Procedure for protesting collection;

Notice as to outgoing passengers; (*b*) Similar notice shall be given by collectors of customs as a preliminary to collecting fines for failure to promptly furnish manifests of outward-bound alien passengers. (See Rule XXIX, statistical regulations.)

Can not be remitted; (*c*) Under an opinion of the Attorney-General, the fine mentioned in this rule can not be remitted. (25 Op. At. Gen., 336.)

Aggregate not to exceed $100, in cases departure; (*d*) In no case covered by this rule shall the aggregate amount of fines collected in any one instance of departure of a vessel exceed one hundred dollars.

Exemption on account diplomatic and consular officers; (*e*) The detailed statistical information required under section 12 of the Immigration Act and section 1 of the naturalization act of June 29, 1906, shall not hereafter be required to be furnished in the cases of diplomatic and

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consular officers, and other officials duly accredited by their governments, together with their suites, families, and guests, coming to the United States or in transit. The names of all such diplomatic and consular representatives and their suites, families, and guests, with their respective titles, should, however, appear grouped together upon the manifest.

Fines: *For nonmanifesting—*

(*f*) As an additional precaution, all aliens examined at ports of entry, concerning whom complete information is not furnished in the manifests, should be questioned as to whether demand was made upon them by the representatives of the steamship company at the port of foreign embarkation for the items of information that are lacking; and in case such answer is in the negative, the affidavit of the alien shall be taken and filed for future reference if required.

Questioning aliens concerning items lacking in manifests.

(*g*) The certificate (unverified) of a responsible surgeon located at the point of embarkation or at the last port of call, prepared in the form appearing upon the reverse side of the manifest (Form 1500), shall be accepted as a sufficient compliance with section 14 requiring that when no surgeon sails with a vessel bringing aliens to the United States, the mental and physical examination of such aliens shall be made by "some competent surgeon employed by the owners of the said vessel."

Certificate of surgeon, regarding aliens aboard vessel: What acceptable.

(*h*) There will be furnished to the steamship company by the Bureau of Immigration and Naturalization blank books suitable for use in the preparation of alphabetical indexes of manifests.

Manifests: Alphabetical indexes of.

Rule 30. *Fines, reporting of.*—The following method will be observed in reporting fines incurred under the immigration laws:

Fines: Method of reporting when U. S. attorney requested to prosecute.

(*a*) Commissioners of immigration or inspectors in charge will, in all cases wherein a United States attorney is requested to institute proceedings for the recovery of prescribed penalties or to undertake criminal prosecution of an alleged offender against the immigration laws, make a report at the same time to the collector of customs for the district in which the offense was alleged to have been committed. Said report shall be rendered in every case which may arise, irrespective of the possible outcome of any legal proceedings, and shall embrace the following: (1) Date when offense was committed; (2) act, and section thereof, violated; (3) nature of offense; (4) name of offender; (5) nationality, kind, and name of vessel; (6) statutory amount of fine; (7) date of reporting case given to each violation.

(*b*) Upon receipt of the above reports, the collector of customs will give each case a number in chronological order. When more than one section of a statute is violated by the same vessel, a separate case number will be given to each violation.

(*c*) At the close of each month, collectors of customs will render reports in the same manner as in the case of

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Fines:

navigation and steamboat-inspection fines, viz: All fines incurred during the month must be reported on Form Cat. No. 1078, showing, under the heading "Remarks," the date when the case was reported to the United States attorney.

(*d*) All fines disposed of during the month must be reported on Form Cat. No. 1006. In connection with this form, the account current (Form Cat. No. 1000) must be used.

(*e*) At the close of June and December in each year, semiannual reports, on Form Cat. No. 1079, must be rendered, showing all unsettled cases on hand and explaining the cause of delay in disposing of them.

RULES RELATING TO DEPORTATION.

Deportation, aliens subject to:

Rule 31. *Deportation, aliens subject to.*—Aliens of the following classes are subject to arrest, upon the warrant of the Secretary of Commerce and Labor, and to deportation to the country whence they came, at any time within three years after landing or entry:

Members excluded classes;

(*a*) Aliens who, at the time of entry, belonged to any of the classes of persons enumerated and defined in section 2 of the Immigration Act or in the Executive order of March 14, 1907, and who should, therefore, have been then excluded. (Secs. 20, 21.)

Public charges;

(*b*) Aliens who become public charges from causes existing prior to landing. (Sec. 20.)

Prostitutes;

(*c*) Alien women or girls who are found to be inmates of a house of prostitution or practicing prostitution. (Sec. 3.)

Those entering surreptitiously.

(*d*) Aliens who are found to have entered the United States at any other place than at the seaports thereof or at one of the ports or places designated in Rules 24 and 26 hereof, and aliens found to have entered at a seaport, but at any time or place other than as designated by the immigration officers. (Secs. 18, 36.)

Public charges from prior causes:

Rule 32. *Public charges from prior causes.*—The case of every alien found to have become a public charge from causes existing prior to landing should be reported to the immigration officer stationed nearest the place where the alien is confined. This report *must be accompanied by*—

Reporting cases of;

Medical certificate of;

(1) An unequivocal certificate (Form 534) of the *principal medical officer* of the institution of which the alien is an inmate, setting forth:

Data for verifying landing of;

(*a*) That the alien is a public charge, and giving: Date of admission to the institution; date and port of foreign embarkation; ship and line by which arrived; date and port of American debarkation; correct name; name under which manifested; age; nationality; and citizenship.

Exact condition to be shown;

(*b*) An accurate statement in plain terms of the mental or physical disability of the alien, covering any and all complications which his condition may present; also

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his present condition with reference to the degree of helplessness to which reduced; the probability of a cure, or the degree to which health and ability to become self-supporting may be restored; and in insanity cases, whether recurrent attacks might be expected if recovery from present onset were effected. Public charges from prior causes:

(*c*) A full and complete recital of the causes to which are attributed the alien's condition as a public charge. Statement of causes required;

(*d*) Whether such causes are considered to have existed prior to or to have arisen subsequent to landing; and if believed to have existed prior to landing, stating specifically the reasons upon which belief in prior cause is based, or, in other words, the features of the case which justify such a conclusion. Origin of causes;

(2) A *complete copy* of the clinical or general history of the case as shown by the hospital records, and including the statements of relatives and friends. Copy of history required;

(3) In the cases of insane patients, a copy of the commitment papers containing the grounds alleged by the examining physicians as the basis for commitment. Commitment papers;

(4) Before applying for a warrant in accordance with Rule 34, the immigration officer to whom the foregoing report is made shall, whenever practicable, cause the alien to be examined by an officer of the Public Health and Marine-Hospital Service, whose certificate should accompany the application for a warrant. Further certificate required if possible.

Rule 33. *Public charges, medical certificate.*—In the event that the examining medical officer is able definitely to certify that an alien was, at the time of landing in the United States, afflicted with insanity, idiocy, imbecility, feeble-mindedness, epilepsy, tuberculosis, or a loathsome or dangerous contagious disease, such a certificate will be regarded as prima facie evidence of entry in violation of section 2 of the Immigration Act, and, in the absence of satisfactory evidence to the contrary, the alien will be deported in accordance with the provisions of sections 20 and 21. Public charges: Medical certificate concerning.

Rule 34. *Deportation, application for warrant.*—Every immigration officer receiving a report in conformity with Rule 32, accompanied by a medical certificate that complies with either Rule 32 or Rule 33, shall communicate with the officer in charge at the port of entry and, if landing is verified from the official records, shall make application for warrant in the manner provided by Rule 35. Such aliens will not be removed from the institutions in which they are confined until after due hearing and after an order of deportation is issued, or unless special instructions for removal are incorporated in the warrant. Deportation: Application for warrant of.

Rule 35. *Deportation, procedure.*—In enforcing sections 20 and 21 of the act approved February 20, 1907, the following instructions regarding applications for warrants of arrest and deportation will be observed: Deportation, procedure:

(*a*) All applications for warrants must be made, if possible, upon blank Form No. 565, which will be fur- Application for arrest warrant;

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Deportation procedure: nished upon written request to the Commissioner-General of Immigration, Department of Commerce and Labor, and which must be filled out in accordance with the printed lines contained therein, and be accompanied by the certificate of landing or entry (Form No. 564) hereinafter prescribed, or if not so accompanied the reasons for the absence of such certificate must be given, and in that case all the facts called for in the blank form of said certificate shall be set forth in the application, so far as the facts are ascertainable.

Affidavits to accompany; (*b*) A full statement must be made in every such application of the facts, supported if practicable by affidavits, which show the presence in the United States of the alien whose arrest and deportation is sought to be in violation of law.

Verification of landing; (*c*) The certificate of landing in or entry into the United States must contain a complete statement in detail of all the facts disclosed as to any such alien by the manifest or list containing his name, with an attached certificate by the officer in charge of such manifest that the information given agrees in all particulars with the record of such alien in said list or manifest.

Telegraphic application for arrest warrant; (*d*) Telegraphic application for warrants should be avoided so far as possible, but, if the circumstances of any particular case make it absolutely necessary to resort to request by wire, such request must state that the foregoing regulations have been complied with, and that the form of application and certificate hereinbefore mentioned have been forwarded to the Department, and must give the substance of the statement of facts contained in the said application and certificate. In order to obviate any possible legal difficulty in the service of the telegraphic warrant, the Department will confirm the telegram by sending in the next outgoing mail a formal written warrant. The statement of facts, contained in the telegraphic application, therefore, must be sufficiently complete and specific to form the basis of the formal warrant.

Issuance of arrest warrant; (*e*) If, thereafter, it appears to the Secretary that the alien concerned is in the United States unlawfully, and that the time within which he may be deported has not expired, a warrant for his arrest shall issue directing that he be taken before the person or persons therein described and there be given a hearing, at which he shall have full opportunity to show cause, if any there be, why he should not be deported.

Hearing under arrest warrant; During the course of the hearing the alien shall be allowed to inspect the warrant of arrest and all the evidence on which it was issued; and, at such stage thereof as the person before whom the hearing is held shall deem proper, the alien shall be apprised that he may thereafter be represented by counsel, and shall be required then and there to state whether he desires counsel or waives the

Rights of counsel: same, and his reply shall be entered on the record. If

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counsel be selected he shall be permitted to be present during the further conduct of the hearing, and be permitted to inspect and make a copy of the minutes of the hearing so far as it has proceeded, and to offer evidence to meet any evidence theretofore or thereafter presented by the Government. At the close of the hearing all of the papers, including the minutes, and any written argument submitted by counsel for the alien, shall be forwarded to the Department as the record on which to determine whether or not a warrant for deportation shall issue. Deportation, procedure:

If the alien is unable to speak or understand English, an interpreter shall, where practicable, be employed. If it be necessary to employ as such some one outside the Service, authority for payment of a reasonable compensation will, upon request, be granted. If the alien be physically or mentally incapable of testifying, his relatives, friends, or acquaintances, if any, shall be questioned. Interpreter to be secured;

(*f*) The record of the hearing accorded an alien who is insane or has become a public charge shall be supplemented by a *written* certificate of the medical officer in charge of the institution in which the alien is confined, showing whether such alien is in condition to be deported without danger to life. Medical certificate;

(*g*) Pending decision upon the case the alien shall be released from custody, provided there is furnished a satisfactory bond as required by section 20, prepared on the blank form supplied by the Bureau. No arrested alien shall be released until the authority of the Department to accept bond in a specified sum is received, nor until the sureties on the bond have been found to be financially responsible. Before releasing the alien, either one of two methods shall be observed (as may be deemed best calculated to insure expedition) to have the bond approved as to form and execution: First, forward the bond to the Bureau at Washington for review by the Solicitor; or, second, submit the bond to the local United States attorney for such purpose. The alien shall be promptly released on receipt of advice that the bond has been approved as to form and execution, and the bond forwarded to the Bureau for formal acceptance. In default of bail, the alien shall be held in custody in some convenient secure place. The holding of aliens in jail shall be avoided to the fullest extent consistent with a proper enforcement of the law. When necessary to hold them in jail, every reasonable effort shall be exerted to see that their surroundings are proper, especially if they are women or children. Release under bond; Sureties on bond; Approval of bond; Holding aliens in default of bond;

(*gg*) The purposes of the bond mentioned in paragraph (*g*) are to insure the production of the alien "for a hearing or hearings * * * and for deportation if he shall be found to be unlawfully in the United States" (sec. 20). The Department's authority to detain the alien in custody in default of bail is limited to the same purposes. There- *Witnesses*, holding arrested aliens to serve as;

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Deportation, procedure:

fore, any case in which it is believed a prosecution should be brought must be promptly reported to the United States attorney, with request that, if he decides to institute proceedings, arrangements be at once made either to take the deposition of the alien or to secure an order from the court for his detention as a witness, as the nature of the proceedings may require. If the court orders the commitment of the alien, custody will be surrendered to the person designated by the court to receive him until the term of commitment ends. If the court accepts a bond or recognizance for the appearance of the alien as a witness, he may, pending his discharge as such, be released under a further bond, approved by the Department, in the penalty of not less than $500, conditioned for his production when required for deportation; or, if he is unable to give the further bond, he may be released if satisfactory arrangements are made with the officers of the court for his return to the custody of the immigration officials when no longer required as a witness. Unless the alien is committed by the court, or is released under the bonds or under the arrangement with court officials, hereinbefore mentioned, deportation must be effected in regular course.[a]

Witnesses, holding arrested aliens to serve as;

Issuance of deportation warrant;

(*h*) If, after the receipt of the report of such hearing, it shall appear to the satisfaction of the Secretary, from all the evidence, that such alien is in the United States in violation of law and that the time within which he can be deported has not expired, a warrant will be issued for his deportation.

Care to be exercised in conducting investigation;

(*i*) Officers are directed to make thorough investigation of all cases where they are credibly informed, or have reason to believe, that a specified alien is in the United States in violation of law. It is not permissible for officers to resort to any form of intimidation, by threats, violence, or otherwise, in order to extort from any suspected alien or from any other person the information to be embodied in the application for the warrant of arrest. Officers are specially cautioned not to lend their aid in causing the arrest of aliens upon charges arising out of personal spite or enmity, unless the truth of such charges is clearly established.

Notice to steamship company;

(*j*) In every case in which a warrant of deportation is issued under sections 20 and 21, the immigration official in charge at the port from which deportation is to be made shall notify the steamship line, on a vessel of which the alien is to be placed, of the intended deportation as promptly as possible after receipt of a copy of the departmental warrant and of advices from the officer under whose supervision the arrest and hearing in the case have been effected. And in all such cases care shall be exercised by all immigration officials concerned to furnish the

[a] For further administrative details regarding this paragraph, see Bureau circular letter of July 20, 1909.

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steamship officials with full and exact information concerning the name, destination, condition of health, etc., of the alien to be deported. Deportation, procedure:

(*k*) If the conditions are such that an attendant (or matron) will be required to assist in conveying an alien from an inland point to the seaport of deportation, special request for authorization therefor should accompany the record of hearing under a warrant of arrest. Such attendants will be allowed a nominal compensation of *one dollar* and traveling expenses both ways. This rate must not be exceeded in any instance without special authorization, based upon extraordinary conditions, to be fully set forth for the guidance of the Department. Attendant to seaport.

Rule 36. *Deportation, cost of maintenance.*—The cost of maintaining aliens during the pendency of warrant proceedings under the preceding rules is a proper charge against the appropriation "Expenses of regulating immigration;" but in cases of aliens who have become public charges from causes existing prior to landing in the United States such cost shall not be allowed for any period preceding the date of issuance of warrant of arrest to an officer of the Immigration Service, and even then only in the event that the Department, upon investigation, orders the deportation of the alien. Maintenance bills under this rule shall be delivered to the immigration officer in immediate charge of the case within a period of twenty days from the close of the calendar month in which occurs the death of the alien or removal from the institution for deportation. Failure to so render maintenance bills shall relieve the United States from any responsibility for the payment thereof. If proceedings against a procurer or contractor are instituted in accordance with sections 3, 5, or 20 of the Immigration Act, immigration officers should report to the United States district attorney the amount of the cost of deporting the alien, including one-half of the entire cost of removal to the port of deportation, so that a proper effort may be made to recover such expense from the procurer or importer and the reimbursement of the Government and the transportation company for their respective parts thereof. Arrest and deportation: Expense of maintnance during proceedings, how borne; Time for rendering bills; Method of obtaining reimbursement when importers are prosecuted.

Rule 37. *Deportation, procedure in cases of insane or diseased aliens requiring special care and attention.*[a] Deportation:

(*a*) When deportation is to be effected either under warrant proceedings or in pursuance of rejection at a port, the responsible steamship company shall be required to afford the deported alien special care and attention, if, in the first class of cases, the Department decides when issuing the warrant that such care and attention are necessary, or if, in the second class of cases, the commissioner or inspector in charge at the port renders such a Procedure in cases of insane or diseased aliens; Aliens requiring special care and attention;

[a] For special regulations regarding arrest and deportation of prostitutes and procurers, and anarchists and criminals, see Department Circulars Nos. 156 and 163, resectively.

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Deportation: decision. The report of hearing in warrant proceedings should be accompanied by a statement obtained from the physician (if practicable a surgeon of the Public Health and Marine-Hospital Service) having personal knowledge of the alien's condition, showing such condition in terms that will enable the Department to determine whether special care and attention are needed.

Procedure in cases of; (*b*) If the Department (or the commissioner or inspector in charge, as the case may be) finds that the alien requires special care and attention, the steamship line by which deportation occurs must provide all necessary care and attention as called for by his condition, not only during the ocean voyage, but also (except as hereinafter provided) during the foreign land journey. Proof that such care and attention have been provided and the alien sent to his final destination must be furnished through sheets "B" and "C" of Form 597 hereinafter referred to.

Returns by vessels concerning;

Delivery of forms of returns; (*c*) The alien may be delivered to the master or first or second officer of the vessel by which deportation is to occur, and together with the alien there shall be delivered Form 597 (composed of sheets "A," "B," and "C"), also a duplicate carbon of sheet "A." The receipt and sheet "A" will be completely filled out by an immigration officer (except as to signature) prior to delivery. He shall also insert at the blank space following "No." at the top of each sheet the number of the departmental warrant where deportation occurs pursuant to warrant, and the local correspondence file number where deportation occurs pursuant to rejection by a board. The receipt attached to sheet "A" shall be signed by the ship's officer to whom the alien has been delivered and returned forthwith to the immigration officer making delivery. Sheets "B" and "C" shall be retained by the ship's officer and in due course filled out by the agents or persons therein designated and by them returned by mail as therein provided.

Preparation of returns; (*d*) From the foreign port of debarkation the steamship company must forward the alien to destination in charge of a proper custodian (all expenses to be borne by such company), except only in cases where foreign public officials decline to allow such custodian to proceed and themselves take charge of the alien. In that event this fact must be shown by signing the form provided in the lower half of sheet "C," and where foreign public officials have taken charge at the port of debarkation it will be unnecessary to fill out any portion of the form on the upper half of sheet "C."

Where the foreign public officials take charge not at the port of debarkation, but at an interior frontier, both forms on sheet "C" must be filled in, the former in relation to the inland journey as far as such frontier.

Mailing of returns; (*e*) Whenever, without excuse satisfactory to the commissioner or inspector in charge of immigration at the port of embarkation, a steamship company has failed, for

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Deportation:

a period of ninety days after departure of an alien requiring special care and attention under this rule, to comply with any of the terms thereof, including failure to return sheets "B" and "C" properly filled out, such commissioner or inspector in charge shall forthwith report this fact to the Commissioner-General of Immigration, and thereafter the Secretary of Commerce and Labor will, without further notice and during such period as he shall determine, exercise his right under section 21 to employ suitable persons to accompany to their final destinations aliens deported on a vessel of such steamship company requiring special care and attention. Instructions as to compensation of such attendants, their mode of travel, their right of access to the alien during the ocean voyage, and other necessary matters will be given in each case as it arises.

To be to transoceanic port;

Rule 38. *Deportation, where to.*—The deportation of aliens as prescribed in Rules 30 to 36 hereof shall be to the foreign trans-Atlantic or trans-Pacific port from which such aliens embarked for the United States; or, if such embarkation was for foreign contiguous territory, to the foreign port at which they embarked for such contiguous territory. (Sec. 35.)

Of public charges from subsequently arising causes;

Rule 39. *Deportation by consent.*—Any alien who has been lawfully landed, but who has become a public charge from subsequently arising physical inability to earn a living, may, by consent of the alien and with the approval of the Bureau of Immigration and Naturalization, be deported within one year from date of landing at the expense of the immigrant fund: *Provided*, That such alien is delivered to the immigration officers at a designated port free of charge; and the charges incurred for the care and treatment of any such alien in any public or charitable institution from the date of notification to an officer of the Bureau until the expiration of one year after landing may be paid from the immigrant fund at fixed rates agreed upon.

Expense, how borne.

RULES RELATING TO TRANSIT.

Transits:

To be examined;

Rule 40. *Aliens in transit.*—Every alien seeking a landing for the purpose of proceeding directly through the United States to a foreign country shall be examined, and, if found to be a member of any one of the excluded classes, shall be refused permission to land, in the same manner as though he intended to remain in the United States. Cases where a refusal of the privilege would entail exceptional hardship may be reported to the Secretary for a special ruling.

Cases exceptional hardship to be reported;

Head tax must be deposited on account of;

Rule 41. *Aliens in transit, head tax for.*—(*a*) No alien desiring admission at a port of the United States for the professed purpose of proceeding directly therefrom to foreign territory shall be permitted to land thereat except after deposit with the collector of customs at said

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Transits:

port, by the master or owner of the vessel or by a representative of any other mode of transportation by which such alien is brought, of the amount of the head tax (four dollars) prescribed by section 1 of the Immigration Act, said amount to be refunded upon proof satisfactory to the immigration officer in charge at the port of arrival that said alien has passed by direct and continuous journey through and out of the United States within thirty days from the date of admission, proof of such departure to be furnished within sixty days from the date of admission. Special deposits of head tax on account of aliens in transit will, at the expiration of sixty days from the date of admission, be covered into the Treasury as head tax, the cases in which proof of departure is received after the expiration of such period to be reported to the Bureau of Immigration and Naturalization for special authorization, under the provision incorporated in the legislative, executive, and judicial appropriation act approved February 3, 1905.

Head tax to be refunded on proof of departure;

Head tax to be covered into Treasury at expiration of 60 days; How then refundable;

Head tax on special system of collecting and refunding when from Canadian territory;

(*b*) All aliens of the taxable class desiring to proceed in transit through the United States from the Dominion of Canada shall be required to furnish to the examining officer or officers guaranty of payment of head tax described in paragraph (*k*) of Rule 25 of these regulations. If admissible, aliens claiming to be in transit will be given certificate Form 523, providing for refund of head tax upon such certificate being properly indorsed by the alien and by the purser of the outgoing trans-Atlantic or trans-Pacific steamship upon which the holder of said certificate may depart from the United States; or, if the alien be passing in transit through the United States from one point in Canada to another point in Canada, then such indorsement to be made by the conductor of the train upon which the holder of the certificate departs from the United States.

Head tax on those arriving at Canadian seaports;

(*c*) Refund of head tax will be made on aliens of the taxable class, arriving at Atlantic or Pacific ports of Canada and desiring to proceed immediately in transit through the United States, to the transportation line responsible for payment of head tax on such aliens, upon proof satisfactory to the United States commissioner of immigration for Canada that said aliens have passed by direct and continuous journey through and out of the United States within the time limit specified in this rule.

Entering and leaving at same port — refund of head tax on account of;

(*d*) Even though an alien, being a "transit passenger," enters and leaves the United States at the same port the provisions of this rule shall be applied to his case to the same extent, and in the same manner so far as necessary, as though such alien entered at one port and departed through another. In the cases of those entering across the Canadian border as transient visitors, however, Form No. 569 will be used instead of Form No. 523, under the procedure laid down in paragraph (*b*) hereof.

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(*e*) A class of "transit passengers" which requires somewhat different treatment in practice than "transits" as ordinarily understood and "transient visitors," whose cases are covered by the preceding paragraphs hereof, consists of aliens visiting the United States as tourists, on pleasure or business. With regard to such class, no payment or deposit of head tax need be required, if the immigration officers at the port of entry are satisfied that it is the *bona fide* intent of the passenger merely to visit or tour the United States. For instance, when an alien is in possession of first-class round trip or through transportation, or other circumstances are present, indicating with reasonable certainty that the passenger is a tourist, deposit should not be required; if doubt exists, he should be classed as a "transit" or "transient visitor."

Transits: Entering as tourists — different practice applying to;

MISCELLANEOUS RULES.

Rule 42. *Cattlemen.*—It is ordered that all cattlemen returning to ports within the United States holding certificates duly signed by a commissioner of immigration or an immigrant inspector shall be entitled, upon identification, to admission into the United States without further examination by the immigration officers, to whom said certificate must be presented and surrendered, which certificate must be as follows:

Cattlemen: Admission of;

FORM 567.

[Stub.]

No.....
Port of.....
Date....., 19....
Name.....
Age.....
Native of.....
Employed by.....
Of.....
A cattleman sailing on the steamship.....
Surrendered at the port of.....
....., 19....
Height.....
Weight.....
Color of hair.....
Color of eyes.....
General remarks.....
.....
.....
Signature of cattleman:
.....

Cattlemen's certificate of admission.

Form of certificate for.

DEPARTMENT OF COMMERCE AND LABOR.
IMMIGRATION SERVICE.

No..... PORT OF.....,
....., 19...

This is to certify that a native of.....age....., who is duly accredited an employee of..... sailing on the steamship....., 19..., is a cattleman from the port of.....United States of America.

The holder of this certificate will be permitted to enter the United States as a returning cattleman on presentation of this certificate and proper identification by the immigration inspector

Height.....
Weight.....
Color of hair.....
Color of eyes.....
General remarks.....
.....

.....,
Commissioner of Immigration.

NOTE.—This certificate must be furnished by the commissioner of immigration, or immigrant inspector, to the steamship company at the port of departure. The certificate will be filled in by the United States officer and delivered to the captain of the vessel upon which the cattleman sails, who in turn will deliver the paper to the person in whose name it is issued, at the foreign port of destination, to enable the cattleman to return. Any alteration or erasure of this certificate renders it void, and if it is presented by any person other than its rightful owner it will be taken up and the holder subjected to the inspection required by law.

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Immigration officials:

Administration of oaths by.

Rule 43. *Administration of oaths.*—The authority to administer oaths conferred upon immigration officials by section 24 of the Immigration Act is limited to matters "touching the right of any alien to enter the United States." When, therefore, such officials are detailed to investigate frauds or attempts to defraud the Government, or any irregularity or misconduct of any officer or agent of the United States, section 183 of the Revised Statutes should be relied upon for authority to administer oaths to witnesses.

Posting laws:

Filing certificate of.

Rule 44. *Posting of immigration acts.*—The certificate required by section 8 of the act of Congress approved March 3, 1893, that copies of the immigration acts have been duly posted, shall be filed with the Secretary of Commerce and Labor upon the first days of January and July of each year.

Official communications:

To be sent through official channels.

Rule 45. *Official communications.*—Officers employed in the administration of the immigration and Chinese-exclusion laws are notified that all communications to the Department upon official matters must be addressed to the Commissioner-General of Immigration or to the Secretary of Commerce and Labor through official channels.

Telegraphing:

Code for.

Rule 46. *Telegraphing.*—With the object of reducing the expense of telegraphing in connection with the official business of the Immigration Service, the telegraphic code provided by the Bureau of Immigration and Naturalization will be employed to the fullest extent possible.

Uniforms:

Officers required to wear:

Rule 47. *Uniforms.*—It is hereby ordered that inspection officers and employees of the Immigration Service stationed at ports or places of entry into the United States *and elsewhere* shall, while on duty, *unless otherwise specially directed in writing*, wear uniforms designated by the Bureau of Immigration and Naturalization, said uniforms to be purchased by the said inspectors and employees.

Particulars concerning—

Suits;

(*a*) UNIFORM SUITS: Uniform suits will be made of dark blue cloth. The following are the prescribed styles:

Suits for inspectors and assistant inspectors—Coats.—Double-breasted sack, four buttons on each side, ends cut square. Two lower outside pockets, one on upper left side and small ticket pocket on right side. All outside pockets to have flaps, except upper left-hand pocket. Two inside pockets. All pockets to be of liberal size.

Vests.—Single-breasted, six buttons, collar. Four pockets without flaps. Bone buttons.

Trousers.—Plain, with side pockets, two hip pockets, and watch pocket. No stripe. Band back and front on inside at bottom.

Suits for all other officials.—Same as above, except that coat shall be single-breasted instead of double-breasted.

Buttons;

(*b*) BUTTONS: The bone buttons upon suits will be of a special pattern designed to fit brass button shells (detachable) which must be affixed and worn in all cases

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Uniforms: *Particulars concerning—*

while on duty. Button shells will be forwarded without cost upon application to the Bureau.

Caps;

(*c*) CAPS: Contract has been made for uniform caps, which must be paid for by the employees, the cost per cap being two dollars. If money order for this sum is forwarded to the Bureau, through official channels, full name and title of employee and size of cap wanted being stated, the same will be ordered sent direct to purchaser, express charges collect. The winter cap is made of blue cloth and the summer cap of black silk. *Unless otherwise specified,* BLUE CLOTH cap will be furnished.

Cap insignia;

(*d*) CAP INSIGNIA: Caps will be provided with appropriate insignia and lettering without charge to employees, but orders must be placed through the Bureau in every instance.

Collar insignia;

(*e*) COLLAR INSIGNIA: Inspectors in charge of stations, or of the various divisions at the principal ports of entry, will be designated by an appropriate legend worn on both sides of the front of the coat collar. These legends will be worked in gold letters upon blue cloth, and may be obtained free of cost upon application to the Bureau. The cloth strips will be attached to the coat collars with hooks and eyes, so that they may readily be removed.

Service insignia;

(*f*) SERVICE INSIGNIA: Immigrant and Chinese inspectors one year in the service may be designated by a strip of gold braid upon the top of the cuff of the left coat sleeve 2 inches from the bottom of the sleeve and extending halfway around it. An additional strip may be added one-fourth inch higher than its predecessor for each year's completed service up to five years, when a small gold star may be worn in lieu of the braid, which should then be removed. For each year from five to nine, inclusive, a strip of gold braid may be added. Ten years' continuous service may be indicated by two stars, and so on. The equipments needed to comply with this requirement can be secured without charge upon application to the Bureau, the full name and exact service of the employee being stated. Insignia is issued to inspectors only. The length of service is reckoned from the date of original appointment as inspector, and must not include prior service in other capacities. In making request for insignia, give date of original appointment as inspector, or if at present wearing insignia, describe same and give date on which the last prior addition thereto was received from the Bureau.

Seasons;

(*g*) SEASONS: The time of changing from one weight of uniform to another will be governed by the change of seasons at the various stations of employees. Officers stationed in Hawaii and Porto Rico may wear white duck uniforms and caps, insignia for the latter to be procured free of cost upon application to the Bureau.

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Uniforms: Particulars concerning— Light-weight uniforms;

(*h*) LIGHT-WEIGHT UNIFORMS: Officers and employees stationed at places where the climate is too warm to admit of comfort in wearing the regular summer uniform may have their uniforms made of light material suited to the locality, subject to the stipulation that the color and style shall conform to the requirements of paragraph (*a*) hereof. The special buttons required to fit brass shells may be procured from the Bureau.

Inspections;

(*i*) INSPECTIONS: Commissioners of immigration and inspectors in charge will make reports to the Bureau on the first days of January and July regarding the condition of each part of the uniform of every employee under their respective jurisdictions, each portion of every uniform being graded as excellent, good, fair, or bad, as the case may be. Form 596 will be used in making these reports, and if any reports showing the condition to be "bad" are made, the steps that have been taken to correct this condition should be noted.

New appointees.

(*j*) NEW APPOINTEES: Officers having charge of immigration stations, districts, or ports will require employees newly appointed and ordered to report to them for duty to provide themselves with standard uniforms within thirty days from the date of assignment to duty, and will see that the *full uniform* is worn by all employees, as herein provided.

Districts: Number; Official in charge; Headquarters; Extent.

Rule 48. For convenience in enforcing both the immigration and the Chinese-exclusion laws, the territory within which immigration officials are located is divided into districts, under the jurisdiction of commissioners of immigration or inspectors in charge, numbered, defined, and with headquarters fixed, as follows:

Dist. No.	Title of officer.	Location of headquarters.	Extent of districts.
1	Commissioner of immigration.	Montreal, P. Q., Canada.	Canadian border and Canadian seaports.
2	Commissioner of immigration.	Boston, Mass.....	New England States, including port of Boston and subports of Portland and New Bedford.
3	Commissioner of immigration.	Ellis Island, New York Harbor.	New York and New Jersey; immigration matters *only*.
	Chinese inspector in charge.	17 State street, New York, N. Y.	New York and New Jersey; Chinese matters *only*.
4	Commissioner of immigration.	Philadelphia, Pa..	Pennsylvania, Delaware, and West Virginia; port of Philadelphia and substations of Pittsburg, Chester, and Wilmington.
5	Commissioner of immigration.	Baltimore, Md....	Maryland and District of Columbia; port of Baltimore and subports of Annapolis and Washington.
6	Inspector in charge....	Norfolk, Va.....	Virginia, North Carolina, and South Carolina; port of Norfolk and subports of Newport News, Wilmington, and Charleston.
7	Inspector in charge....	Tampa, Fla.....	Georgia, Florida, and Alabama; port of Tampa and subports of Savannah, Brunswick, Jacksonville, Miami, Key West, Pensacola, and Mobile.
8	Commissioner of immigration.	New Orleans, La..	Louisiana, Mississippi, Arkansas, and Tennessee; port of New Orleans and subports of Gulfport and Pascagoula.

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Dist. No.	Title of officer.	Location of headquarters.	Extent of districts.
9	Inspector in charge....	Galveston, Tex....	The port of Galveston and subports of Port Arthur and Corpus Christi, Tex. The territory bounded on the north and east by the Louisiana-Texas border and the Gulf of Mexico; on the west by the westerly boundaries of the following counties in Texas: Shelby, Nacogdoches, Angelina, Polk, San Jacinto, Montgomery, Harris, Fort Bend, Wharton, Jackson, Victoria, Refugio, San Patricio, and Nueces; and on the south by the southerly boundary of Nueces County, Tex.
10	Inspector in charge....	Cleveland, Ohio...	Ohio and Kentucky; substations at Toledo and Cincinnati.
11	Inspector in charge....	Chicago, Ill.....	Illinois, Indiana, Michigan, and Wisconsin.
12	Inspector in charge....	Minneapolis, Minn.	Minnesota and North and South Dakota.
13	Inspector in charge....	St. Louis, Mo.....	Missouri, Iowa, Kansas, and Oklahoma.
14	Inspector in charge....	Denver, Colo.....	Colorado, Wyoming, Nebraska, and Utah; substation at Salt Lake City.
15	Inspector in charge....	Helena, Mont.....	Montana and Idaho; substation at Havre, Mont.
16	Commissioner of immigration.	Seattle, Wash.....	Washington; port of Seattle and subports of Tacoma, Port Townsend, and Olympia; substations of Spokane and Walla Walla.
17	Inspector in charge....	Portland, Oreg....	Oregon; port of Portland and subport of Astoria.
18	Commissioner of immigration.	San Francisco, Cal.	Northern California and Nevada; port of San Francisco.
20	Inspector in charge....	Ketchikan, Alaska	Alaska; port of Ketchikan and substations of Skagway and Nome.
21	Commissioner of immigration.	San Juan, P. R...	Porto Rico; port of San Juan and subport of Ponce.
22	Inspector in charge....	Honolulu, Hawaii.	Territory of Hawaii, including all ports.
23	Supervising inspector.	El Paso, Tex.....	Texas, except portion comprising district number 9; New Mexico, and Arizona; port of El Paso, subports of Nogales, Douglas, Waco, Del Rio, Eagle Pass, Laredo, Hidalgo, and Brownsville; substations of San Antonio, Tucson, and Fort Worth.
			Southern California; port of San Diego and substations of Los Angeles and Andrade.

Rule 49. In furtherance of the requirement of section 13 of the immigration act, that the groups in which aliens are listed shall be "convenient," transportation companies are directed, so far as practicable, to assemble or group together all aliens coming from the same locality.

Rule 50. Inspection and entry of aliens into the mainland of the United States from foreign countries, through Porto Rican or Hawaiian territory, under the Immigration Act, will be accomplished in accordance with the following provisions: **Porto Rico and Hawaii:**

(*a*) All aliens arriving in Porto Rico or Hawaii destined to the mainland of the United States shall be inspected at the time of arrival and be given a certificate of the form set forth below. The holders of such certificate, duly signed by the United States commissioner of immi- **Aliens arriving must be examined and given certificate;**

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Porto Rico and Hawaii:

gration at San Juan, or by the inspector in charge at Honolulu, shall be entitled to admission to the United States at any one of the various ports of entry without further examination by the United States immigration officers as to their right to enter, upon their identification and surrender of such certificate to such officials and upon payment of head tax.

Surrender of certificate;

How procured;

(*b*) Aliens manifested in good faith to Porto Rico or Hawaii, who shall reside there for a time, and who subsequently desire to proceed to the United States, shall, upon application to the commissioner of immigration at San Juan or to the inspector in charge at Honolulu, be furnished with the certificate herein referred to, attesting their previous examination.

What certificate denotes;

(*c*) Failure to present the said certificate shall be deemed presumptive evidence that examination has not occurred in Porto Rico or Hawaii, and the alien shall be arrested in the manner provided by sections 20 and 21 of the Immigration Act, and deported, unless he shows that his presence in the country is lawful or that his residence in Porto Rico or Hawaii or the mainland, or both, has exceeded the period of three years.

Effect of failure to secure certificate;

Head tax not collectible;

(*d*) Head tax is not to be collected in the cases of aliens who arrived in Porto Rico or Hawaii prior to July 1, 1907, at which time the Act of February 20, 1907, took effect.

(*e*) The certificate shall be in the following form:

Form of certificate.

Alien certificate—Insular territory.

FORM 546. No.....

DEPARTMENT OF COMMERCE AND LABOR,

IMMIGRATION SERVICE,

Port of, ..., ..., *191*...

This is to certify that, a native of, who arrived at the port of per steamship, on the, 19.., has been duly inspected and registered, and will be admitted into the United States upon proper identification and payment of head tax, and surrender of this certificate to any immigration officer at a designated port of entry.

The description of the holder is as follows: Age; height; weight; color of hair; color of eyes

Remarks (note destination, etc.):

....., ...
(Name) (Title)

Surrendered at to Inspector, ..., 191. .

(*f*) Special material facts should be noted on the back of the certificate with proper reference thereto on the face.

DAN'L J. KEEFE,
Commissioner-General of Immigration.

Approved December 12, 1910.

BENJ. S. CABLE,
Acting Secretary.

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APPENDIX.

LAWS NOT REPEALED OR REENACTED BY THE IMMIGRATION ACT OF FEBRUARY 20, 1907.

ACT OF AUGUST 3, 1882.

AN ACT to regulate immigration.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there shall be levied, collected, and paid a duty of fifty cents for each and every passenger not a citizen of the United States who shall come by steam or sail vessel from a foreign port to any port within the United States. The said duty shall be paid to the collector of customs of the port to which such passenger shall come, or if there be no collector at such port, then to the collector of customs nearest thereto, by the master, owner, agent, or consignee of every such vessel, within twenty-four hours after the entry thereof into such port. The money thus collected shall be paid into the United States Treasury and shall constitute a fund to be called the immigrant fund and shall be used, under the direction of the Secretary of Commerce and Labor, to defray the expense of regulating immigration under this act and for the care of immigrants arriving in the United States, for the relief of such as are in distress, and for the general purposes and expenses of carrying this act into effect. The duty imposed by this section shall be a lien upon the vessels which shall bring such passengers into the United States, and shall be a debt in favor of the United States against the owner or owners of such vessels, and the payment of such duty may be enforced by any legal or equitable remedy: *Provided*, That no greater sum shall be expended for the purposes hereinbefore mentioned, at any port, than shall have been collected at such port.[a]

Head tax:

Amount.

By whom and to whom paid, within 24 hours after arrival;

To constitute Immigrant fund;

How collection enforced.

* * * * *

Approved, August 3, 1882 (22 Stat., 214).

[a] See section 1, act February 20, 1907, and Rules 1, 2, and 3

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ACTS OF 1885 AND 1888.

ACT OF FEBRUARY 26, 1885.

AN ACT to prohibit the importation and immigration of foreigners and aliens under contract or agreement to perform labor in the United States, its Territories, and the District of Columbia.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, * * *

Contract labor:

Contracts for alien labor declared void.

SEC. 2. That all contracts or agreements, express or implied, parol or special, which may hereafter be made by and between any person, company, partnership, or corporation, and any foreigner or foreigners, alien or aliens, to perform labor or service or having reference to the performance of labor or service by any person in the United States, its Territories, or the District of Columbia, previous to the migration or importation of the person or persons whose labor or service is contracted for into the United States, shall be utterly void and of no effect.[a]

* * * * *

Approved, February 26, 1885 (23 Stat., 332).

ACT OF OCTOBER 19, 1888.

AN ACT making appropriations to supply deficiencies in appropriations for the fiscal year eighteen hundred and eighty-eight, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, * * *

SEC. 1. * * * That the act approved February twenty-sixth, eighteen hundred and eighty-five, entitled "An Act to prohibit the importation and migration of foreigners and aliens under contract or agreement to perform labor in the United States, its Territories, and the District of Columbia," be, and the same is hereby, amended so as to authorize the Secretary of Commerce and Labor to pay to an informer who furnishes original information that the law has been violated, such a share of the penalties recovered as he may deem reasonable and just, not exceeding fifty per centum, where it appears that the recovery was had in consequence of the information thus furnished.

* * * * *

Approved, October 19, 1888 (25 Stat., 566).

[a] See sections 2, 4, 5, and 6, act of February 20, 1907.

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ACT OF MARCH 3, 1891.

AN ACT in amendment to the various acts relative to immigration and the importation of aliens under contract or agreement to perform labor.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, * * *

Superintendent of Immigration:

Office created; Salary fixed.

SEC. 7. That the office of superintendent of immigration is hereby created and established, and the President, by and with the advice and consent of the Senate, is authorized and directed to appoint such officer, whose salary shall be four thousand dollars per annum, payable monthly. The superintendent of immigration shall be an officer in the Department of Commerce and Labor, under the control and supervision of the Secretary of Commerce and Labor, to whom he shall make annual reports in writing of the transactions of his office, together with such special reports, in writing, as the Secretary of Commerce and Labor shall require. The Secretary shall provide the superintendent with a suitably furnished office in the city of Washington, and with such books of record and facilities for the discharge of the duties of his office as may be necessary. He shall have a chief clerk at a salary of two thousand dollars per annum, and two first-class clerks.[a]

* * * * *

Approved, March 3, 1891 (26 Stat., 1084).

ACT OF FEBRUARY 15, 1893.

AN ACT granting additional quarantine powers and imposing additional duties upon the Marine-Hospital Service.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, * * *

Quarantine:

President given extraordinary power to suspend immigration.

SEC. 7. That whenever it shall be shown to the satisfaction of the President that by reason of the existence of cholera, or other infectious or contagious diseases, in a foreign country there is serious danger of the introduction of the same into the United States, and that notwithstanding the quarantine defense this danger is so increased by the introduction of persons or property from such country that a suspension of the right to introduce the same is demanded, in the interest of the public health, the President shall have power to prohibit, in whole or in part, the introduction of persons and property from such countries or places as he shall designate and for such period of time as he may deem necessary.

* * * * *

Approved, February 15, 1893 (27 Stat., 449).

[a] See section 1, act March 2, 1895, and section 22, act February 20, 1907.

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ACT OF MARCH 3, 1893.

AN ACT to facilitate the enforcement of the immigration and contract-labor laws of the United States.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, * * *

Certificates:

Required of steamship companies re posting laws in foreign offices;

SEC. 8. That all steamship or transportation companies, and other owners of vessels, regularly engaged in transporting alien immigrants to the United States, shall twice a year file a certificate with the Secretary of Commerce and Labor that they have furnished to be kept conspicuously exposed to view in the office of each of their agents in foreign countries authorized to sell emigrant tickets, a copy of the law of March third, eighteen hundred and ninety-one, and of all subsequent laws of this country relative to immigration, printed in large letters, in the language of the country where the copy of the law is to be exposed to view, and that they have instructed their agents to call the attention thereto of persons contemplating emigration before selling tickets to them; and in

Penalty for failure.

case of the failure for sixty days of any such company or any such owners to file such a certificate, or in case they file a false certificate, they shall pay a fine of not exceeding five hundred dollars, to be recovered in the proper United States court, and said fine shall also be a lien upon any vessel of said company or owners found within the United States.[a]

* * * * *

Approved March 3, 1893 (27 Stat., 569).

ACT OF AUGUST 18, 1894.

AN ACT making appropriations for sundry civil expenses of the Government for the fiscal year ending June thirtieth, eighteen hundred and ninety-five, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in *Congress assembled,* * * *

Commissioners of immigration:

Appointed by President.

The commissioners of immigration at the several ports shall be appointed by the President, by and with the advice and consent of the Senate, to hold their offices for the term of four years, unless sooner removed, and until their successors are appointed; and nominations for such offices shall be made to the Senate by the President as soon as practicable after the passage of this act.[b]

Approved August 18, 1894 (28 Stat., 372).

[a] See Rule 44 for time of filing.

[b] See section 7, act March 3, 1891, and section 22, act February 20, 1907.

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ACT OF MARCH 2, 1895.

AN ACT making appropriations for the legislative, executive, and judicial expenses of the Government for the fiscal year ending June thirtieth, eighteen hundred and ninety-six, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, * * *

BUREAU OF IMMIGRATION.

Commissioner-General:

Title created; Administration contract-labor laws placed under.

That the Superintendent of Immigration shall hereafter be designated as Commissioner-General of Immigration, and, in addition to his other duties, shall have charge, under the Secretary of Commerce and Labor, of the administration of the alien contract-labor laws, etc.[a]

Approved March 2, 1895 (28 Stat., 764).

ACT OF JUNE 6, 1900.

AN ACT making appropriations for sundry civil expenses of the Government for the fiscal year ending June thirtieth, nineteen hundred and one, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, * * * and hereafter the Commissioner-General of Immigration, in addition to his other duties, shall have charge of the administration of the Chinese-exclusion law and of the various acts regulating immigration into the United States, its Territories, and the District of Columbia, under the supervision and direction of the Secretary of Commerce and Labor.

Chinese-exclusion law placed under.

Approved June 6, 1900 (31 Stat., 611).

ACT OF APRIL 29, 1902.

AN ACT to prohibit the coming into and to regulate the residence within the United States, its Territories, and all territory under its jurisdiction, and the District of Columbia, of Chinese and persons of Chinese descent.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, * * *

Fairs and expositions:

Exceptions in favor of exhibitors at.

SEC. 3. That nothing in the provisions of this Act or any other Act shall be construed to prevent, hinder, or restrict any foreign exhibitor, representative, or citizen of any foreign nation, or the holder, who is a citizen of any foreign nation, of any concession or privilege from any fair or exposition authorized by Act of Congress from bringing into the United States, under contract,

[a] See section 7, act March 3, 1891, and section 22, act February 20, 1907.

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such mechanics, artisans, agents, or other employees, natives of their respective foreign countries, as they or any of them may deem necessary for the purpose of making preparation for installing or conducting their exhibits or of preparing for installing or conducting any business authorized or permitted under or by virtue of or pertaining to any concession or privilege which may have been or may be granted by any said fair or exposition in connection with such exposition, under such rules and regulations as the Secretary of Commerce and Labor may prescribe, both as to the admission and return of such person or persons.

* * * * *

Approved April 29, 1902 (32 Stat., part 1, p. 176).

ACT OF FEBRUARY 3, 1905.

AN ACT making appropriations for the legislative, executive, and judicial expenses of the Government for the fiscal year ending June thirtieth, nineteen hundred and six, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, * * *

BUREAU OF IMMIGRATION.

* * * * *

Head tax:

Refund of, when erroneously collected.

Provided, That the Commissioner-General of Immigration, with the approval of the Secretary of Commerce and Labor, shall have power to refund head tax heretofore and hereafter collected under section one of the immigration Act approved March third, nineteen hundred and three, upon presentation of evidence showing conclusively that such collection was erroneously made.[a]

Approved February 3, 1905 (33 Stat., part 1, p. 684).

ACT OF FEBRUARY 6, 1905.

AN ACT to amend an Act approved July first, nineteen hundred and two, entitled "An Act temporarily to provide for the administration of the affairs of civil government in the Philippine Islands, and for other purposes," and to amend an Act approved March eighth, nineteen hundred and two, entitled "An Act temporarily to provide revenue for the Philippine Islands, and for other purposes," and to amend an Act approved March second, nineteen hundred and three, entitled "An Act to establish a standard of value and to provide for a coinage system in the Philippine Islands," and to provide for the more efficient administration of civil government in the Philippine Islands, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, * * *

Philippine Islands:

SEC. 6. That the immigration laws of the United States in force in the Philippine Islands shall be administered

[a] See Rules 1 and 41.

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by the officers of the general government thereof designated by appropriate legislation of said government, and all moneys collected under said laws as duty or head tax on alien immigrants coming into said islands shall not be covered into the general fund of the Treasury of the United States, but shall be paid into the treasury of said islands to be used and expended for the government and benefit of said islands.

Philippine Islands: Enforcement immigration laws therein; Collection head tax therein.

* * * *

Approved, February 6, 1905 (33 Stat., 689).

ACT OF MARCH 3, 1905.

AN ACT making appropriations for sundry civil expenses of the government for the fiscal year ending June thirtieth, nineteen hundred and six, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, * * *

Provided, That the annual subscriptions for publications for use in the immigration service at large may be paid in advance.

Subscriptions: To be paid in advance.

Approved, March 3, 1905 (33 Stat., part 1, p. 1156).

ACT OF JUNE 29, 1906.

AN ACT to establish a Bureau of Immigration and Naturalization, and to provide for a uniform rule for the naturalization of aliens throughout the United States.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the designation of the Bureau of Immigration in the Department of Commerce and Labor is hereby changed to the "Bureau of Immigration and Naturalization," which said Bureau, under the direction and control of the Secretary of Commerce and Labor, in addition to the duties now provided by law, shall have charge of all matters concerning the naturalization of aliens. That it shall be the duty of the said Bureau to provide, for use at the various immigration stations throughout the United States, books of record, wherein the commissioners of immigration shall cause a registry to be made in the case of each alien arriving in the United States from and after the passage of this Act of the name, age, occupation, personal description (including height, complexion, color of hair and eyes), the place of birth, the last residence, the intended place of residence in the United States, and the date of arrival of said alien, and, if entered through a port, the name of the vessel in which he comes. And it shall be the duty of said commissioners of immigration

Bureau of Immigration: Title changed to Bureau of Immigration and Naturalization.

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to cause to be granted to such alien a certificate of such registry, with the particulars thereof.[a]

* * * * *

Approved, June 29, 1906 (34 Stat., part 1, p. 596).

ACT OF MARCH 2, 1907.

AN ACT in reference to the expatriation of citizens and their protection abroad.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of State shall be authorized, in his discretion, to issue passports to persons not citizens of the United States as follows: Where any person has made a declaration of intention to become such a citizen as provided by law and has resided in the United States for three years a passport may be issued to him entitling him to the protection of the Government in any foreign country: *Provided,* That such passport shall not be valid for more than six months and shall not be renewed, and that such passport shall not entitle the holder to the protection of this Government in the country of which he was a citizen prior to making such declaration of intention.

Passports:

When issued to persons not citizens;

Not valid in country of alien's former domicile.

Expatriation:

How effected;

SEC. 2. That any American citizen shall be deemed to have expatriated himself when he has been naturalized in any foreign state in conformity with its laws, or when he has taken an oath of allegiance to any foreign state.

When any naturalized citizen shall have resided for two years in the foreign state from which he came, or for five years in any other foreign state it shall be presumed that he has ceased to be an American citizen, and the place of his general abode shall be deemed his place of residence during said years: *Provided, however,* That such presumption may be overcome on the presentation of satisfactory evidence to a diplomatic or consular officer of the United States, under such rules and regulations as the Department of State may prescribe: *And provided also,* That no American citizen shall be allowed to expatriate himself when this country is at war.[b]

How presumption overcome.

Marriage:

How affects status of woman marrying foreigner;

SEC. 3. That any American woman who marries a foreigner shall take the nationality of her husband. At the termination of the marital relation she may resume her American citizenship, if abroad, by registering as an American citizen within one year with a consul of the United States, or by returning to reside in the United States, or, if residing in the United States at the termination of the marital relation, by continuing to reside therein.

[a] For naturalization laws and regulations drawn thereunder, see pamphlet entitled "Naturalization Laws and Regulations."

[b] This paragraph does not affect the case of a naturalized citizen applying for readmission. (Op. Atty-Gen., Dec. 1, 1910, published in Department Decisions No. 119).

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Marriage:
Of foreign woman marrying American.

SEC. 4. That any foreign woman who acquires American citizenship by marriage to an American shall be assumed to retain the same after the termination of the marital relation if she continues to reside in the United States, unless she makes formal renunciation thereof before a court having jurisdiction to naturalize aliens, or if she resides abroad she may retain her citizenship by registering as such before a United States consul within one year after the termination of such marital relation.

Minor children:
Born outside United States, how citizenship resumed, and when takes effect;

SEC. 5. That a child born without the United States of alien parents shall be deemed a citizen of the United States by virtue of the naturalization of or resumption of American citizenship by the parent: *Provided*, That such naturalization or resumption takes place during the minority of such child: *And provided further*, That the citizenship of such minor child shall begin at the time such minor child begins to reside permanently in the United States.

Foreign born citizens under sec. 1993, R. S.:
Assumption of citizenship by.

SEC. 6. That all children born outside the limits of the United States who are citizens thereof in accordance with the provisions of section nineteen hundred and ninety-three of the Revised Statutes of the United States[a] and who continue to reside outside the United States shall, in order to receive the protection of this Government, be required upon reaching the age of eighteen years to record at an American consulate their intention to become residents and remain citizens of the United States and shall be further required to take the oath of allegiance to the United States upon attaining their majority.

Evidence:
To be filed with State Department.

SEC. 7. That duplicates of any evidence, registration, or other acts required by this Act shall be filed with the Department of State for record.

Approved March 2, 1907 (34 Stat., 1228).

ACT OF MARCH 26, 1910.

AN ACT to amend an Act entitled "An Act to regulate the immigration of aliens into the United States," approved February twentieth, nineteen hundred and seven.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section two of the Act entitled "An Act to regulate the immigration of aliens into the United

[a] Sec. 1993, Revised Statutes, reads as follows: "All children heretofore born or hereafter born out of the limits and jurisdiction of the United States, whose fathers were or may be at the time of their birth citizens thereof, are declared to be citizens of the United States; but the rights of citizenship shall not descend to children whose fathers never resided in the United States."

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States," approved February twentieth, nineteen hundred and seven, is hereby amended so as to read as follows:

"SEC. 2. That the following classes of aliens shall be excluded from admission into the United States: All idiots, imbeciles, feeble-minded persons, epileptics, insane persons, and persons who have been insane within five years previous; persons who have had two or more attacks of insanity at any time previously; paupers; persons likely to become a public charge; professional beggars; persons afflicted with tuberculosis or with a loathsome or dangerous contagious disease; persons not comprehended within any of the foregoing excluded classes who are found to be and are certified by the examining surgeon as being mentally or physically defective, such mental or physical defect being of a nature which may affect the ability of such alien to earn a living; persons who have been convicted of or admit having committed a felony or other crime or misdemeanor involving moral turpitude; polygamists, or persons who admit their belief in the practice of polygamy; anarchists, or persons who believe in or advocate the overthrow by force or violence of the Government of the United States, or of all government, or of all forms of law, or the assassination of public officials; prostitutes, or women or girls coming into the United States for the purpose of prostitution or for any other immoral purpose; *persons who are supported by or receive in whole or in part the proceeds of prostitution;* persons who procure or attempt to bring in prostitutes or women or girls for the purpose of prostitution or for any other immoral purpose; persons hereinafter called contract laborers who have been induced or solicited to migrate to this country by offers or promises of employment or in consequence of agreements, oral, written or printed, expressed or implied, to perform labor in this country of any kind, skilled or unskilled; those who have been, within one year from the date of application for admission to the United States, deported as having been induced or solicited to migrate as above described; any person whose ticket or passage is paid for with the money of another, or who is assisted by others to come, unless it is affirmatively and satisfactorily shown that such person does not belong to one of the foregoing excluded classes and that said ticket or passage was not paid for by any corporation, association, society, municipality, or foreign government, either directly or indirectly; all children under sixteen years of age unaccompanied by one or both of their parents, at the discretion of the Secretary of Commerce and Labor or under such regulations as he may from time to time prescribe: *Provided*, That nothing in this Act shall exclude, if otherwise admissible, persons convicted of an offense purely political, not involving moral turpitude: *Provided further*, That the provisions of this section re-

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lating to the payments for tickets or passage by any corporation, association, society, municipality, or foreign government shall not apply to the tickets or passage of aliens in immediate and continuous transit through the United States to foreign contiguous territory: *And provided further*, That skilled labor may be imported if labor of like kind unemployed can not be found in this country: *And provided further*, That the provisions of this law applicable to contract labor shall not be held to exclude professional actors, artists, lecturers, singers, ministers of any religious denomination, professors for colleges or seminaries, persons belonging to any recognized learned profession, or persons employed strictly as personal or domestic servants."

SEC. 2. That section three of an Act entitled "An Act to regulate the immigration of aliens into the United States," approved February twentieth, nineteen hundred and seven, is hereby amended so as to read as follows:

"SEC. 3. That the importation into the United States of any alien for the purpose of prostitution or for any other immoral purpose is hereby forbidden; and whoever shall, directly or indirectly, import, or attempt to import, into the United States, any alien for the purpose of prostitution or for any other immoral purpose, or whoever shall hold or attempt to hold any alien for any such purpose in pursuance of such illegal importation, or whoever shall keep, maintain, control, support, employ, or harbor in any house or other place, for the purpose of prostitution or for any other immoral purpose, in pursuance of such illegal importation, any alien, shall, in every such case be deemed guilty of a felony, and on conviction thereof be imprisoned not more than ten years and pay a fine of not more than five thousand dollars. Jurisdiction for the trial and punishment of the felonies hereinbefore set forth shall be in any district to or into which said alien is brought in pursuance of said importation by the person or persons accused, or in any district in which a violation of any of the foregoing provisions of this section occur. Any alien who shall be found an inmate of or connected with the management of a house of prostitution or practicing prostitution after such alien shall have entered the United States, or who shall receive, share in, or derive benefit from any part of the earnings of any prostitute; or who is employed by, in, or in connection with any house of prostitution or music or dance hall or other place of amusement or resort habitually frequented by prostitutes, or where prostitutes gather, or who in any way assists, protects, or promises to protect from arrest any prostitute, shall be deemed to be unlawfully within the United States and shall be deported in the manner provided by sections twenty and twenty-one of this Act. That any alien who shall, after he has been debarred or deported

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in pursuance of the provisions of this section, attempt thereafter to return to or to enter the United States shall be deemed guilty of a misdemeanor, and shall be imprisoned for not more than two years. Any alien who shall be convicted under any of the provisions of this section shall, at the expiration of his sentence, be taken into custody and returned to the country whence he came, or of which he is a subject or a citizen, in the manner provided in sections twenty and twenty-one of this Act. In all prosecutions under this section the testimony of a husband or wife shall be admissible and competent evidence against a wife or husband."

Approved March 26, 1910 (36 Stat., 263).

ACT OF JUNE 25, 1910.

AN ACT to further regulate interstate and foreign commerce by prohibiting the transportation therein for immoral purposes of women and girls, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the term "interstate commerce," as used in this Act, shall include transportation from any State or Territory or the District of Columbia to any other State or Territory or the District of Columbia, and the term "foreign commerce," as used in this Act, shall include transportation from any State or Territory or the District of Columbia to any foreign country and from any foreign country to any State or Territory or the District of Columbia.

SEC. 2. That any person who shall knowingly transport or cause to be transported, or aid or assist in obtaining transportation for, or in transporting, in interstate or foreign commerce, or in any Territory or in the District of Columbia, any woman or girl for the purpose of prostitution or debauchery, or for any other immoral purpose, or with the intent and purpose to induce, entice, or compel such woman or girl to become a prostitute or to give herself up to debauchery, or to engage in any other immoral practice; or who shall knowingly procure or obtain, or cause to be procured or obtained, or aid or assist in procuring or obtaining, any ticket or tickets, or any form of transportation or evidence of the right thereto, to be used by any woman or girl in interstate or foreign commerce, or in any Territory or the District of Columbia, in going to any place for the purpose of prostitution or debauchery, or for any other immoral purpose, or with the intent or purpose on the part of such person to induce, entice, or compel her to give herself up to the practice of prostitution, or to give herself up to debauchery, or any other immoral practice, whereby any such woman or girl shall be transported in interstate or foreign commerce, or in

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any Territory or the District of Columbia, shall be deemed guilty of a felony, and upon conviction thereof shall be punished by a fine not exceeding five thousand dollars, or by imprisonment of not more than five years, or by both such fine and imprisonment, in the discretion of the court.

SEC. 3. That any person who shall knowingly persuade, induce, entice, or coerce, or cause to be persuaded, induced, enticed, or coerced, or aid or assist in persuading, inducing, enticing, or coercing any woman or girl to go from one place to another in interstate or foreign commerce, or in any Territory or the District of Columbia, for the purpose of prostitution or debauchery, or for any other immoral purpose, or with the intent and purpose on the part of such person that such woman or girl shall engage in the practice of prostitution or debauchery, or any other immoral practice, whether with or without her consent, and who shall thereby knowingly cause or aid or assist in causing such woman or girl to go, and to be carried or transported as a passenger upon the line or route of any common carrier or carriers in interstate or foreign commerce, or any Territory or the District of Columbia, shall be deemed guilty of a felony and on conviction thereof shall be punished by a fine of not more than five thousand dollars, or by imprisonment for a term not exceeding five years, or by both such fine and imprisonment, in the discretion of the court.

SEC. 4. That any person who shall knowingly persuade, induce, entice, or coerce any woman or girl under the age of eighteen years from any State or Territory or the District of Columbia to any other State or Territory or the District of Columbia, with the purpose and intent to induce or coerce her, or that she shall be induced or coerced to engage in prostitution or debauchery, or any other immoral practice, and shall in furtherance of such purpose knowingly induce or cause her to go and to be carried or transported as a passenger in interstate commerce upon the line or route of any common carrier or carriers, shall be deemed guilty of a felony, and on conviction thereof shall be punished by a fine of not more than ten thousand dollars, or by imprisonment for a term not exceeding ten years, or by both such fine and imprisonment, in the discretion of the court.

SEC. 5. That any violation of any of the above sections two, three, and four shall be prosecuted in any court having jurisdiction of crimes within the district in which said violation was committed, or from, through, or into which any such woman or girl may have been carried or transported as a passenger in interstate or foreign commerce, or in any Territory or the District of Columbia, contrary to the provisions of any of said sections.

SEC. 6. That for the purpose of regulating and preventing the transportation in foreign commerce of alien

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women and girls for purposes of prostitution and debauchery, and in pursuance of and for the purpose of carrying out the terms of the agreement or project of arrangement for the suppression of the white-slave traffic, adopted July twenty-fifth, nineteen hundred and two, for submission to their respective governments by the delegates of various powers represented at the Paris conference and confirmed by a formal agreement signed at Paris on May eighteenth, nineteen hundred and four, and adhered to by the United States on June sixth, nineteen hundred and eight, as shown by the proclamation of the President of the United States, dated June fifteenth, nineteen hundred and eight, the Commissioner-General of Immigration is hereby designated as the authority of the United States to receive and centralize information concerning the procuration of alien women and girls with a view to their debauchery, and to exercise supervision over such alien women and girls, receive their declarations, establish their identity, and ascertain from them who induced them to leave their native countries, respectively; and it shall be the duty of said Commissioner-General of Immigration to receive and keep on file in his office the statements and declarations which may be made by such alien women and girls, and those which are hereinafter required pertaining to such alien women and girls engaged in prostitution or debauchery in this country, and to furnish receipts for such statements and declarations provided for in this Act to the persons, respectively, making and filing them.

Every person who shall keep, maintain, control, support, or harbor in any house or place for the purpose of prostitution, or for any other immoral purpose, any alien woman or girl within three years after she shall have entered the United States from any country, party to the said arrangement for the suppression of the white-slave traffic, shall file with the Commissioner-General of Immigration a statement in writing setting forth the name of such alien woman or girl, the place at which she is kept, and all facts as to the date of her entry into the United States, the port through which she entered, her age, nationality, and parentage, and concerning her procuration to come to this country within the knowledge of such person, and any person who shall fail within thirty days after such person shall commence to keep, maintain, control, support, or harbor in any house or place for the purpose of prostitution, or for any other immoral purpose, any alien woman or girl within three years after she shall have entered the United States from any of the countries, party to the said arrangement for the suppression of the white-slave traffic, to file such statement concerning such alien woman or girl with the Commissioner-General of Immigration, or who shall knowingly and willfully state falsely or fail to disclose in such statement any fact within his knowledge or belief

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with reference to the age, nationality, or parentage of any such alien woman or girl, or concerning her procuration to come to this country, shall be deemed guilty of a misdemeanor, and on conviction shall be punished by a fine of not more than two thousand dollars, or by imprisonment for a term not exceeding two years, or by both such fine and imprisonment, in the discretion of the court.

In any prosecution brought under this section, if it appear that any such statement required is not on file in the office of the Commissioner-General of Immigration, the person whose duty it shall be to file such statement shall be presumed to have failed to file said statement, as herein required, unless such person or persons shall prove otherwise. No person shall be excused from furnishing the statement, as required by this section, on the ground or for the reason that the statement so required by him, or the information therein contained, might tend to criminate him or subject him to a penalty or forfeiture, but no person shall be prosecuted or subjected to any penalty or forfeiture under any law of the United States for or on account of any transaction, matter, or thing, concerning which he may truthfully report in such statement, as required by the provisions of this section.

SEC. 7. That the term "Territory," as used in this Act, shall include the district of Alaska, the insular possessions of the United States, and the Canal Zone. The word "person," as used in this Act, shall be construed to import both the plural and the singular, as the case demands, and shall include corporations, companies, societies, and associations. When construing and enforcing the provisions of this Act, the act, omission, or failure of any officer, agent, or other person, acting for or employed by any other person or by any corporation, company, society, or association within the scope of his employment or office, shall in every case be also deemed to be the act, omission, or failure of such other person, or of such company, corporation, society, or association, as well as that of the person himself.

SEC. 8. That this Act shall be known and referred to as the "White-slave traffic Act."

Approved June 25, 1910 (36 Stat., 825).



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DEPARTMENT OF COMMERCE AND LABOR

BUREAU OF IMMIGRATION AND NATURALIZATION

Immigration Laws

and

Regulations of July 1, 1907

Twelfth Edition, February 1, 1911

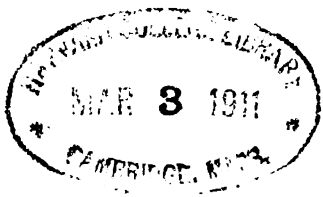
Embodying Amendments to Rules 5B, 24, and 48

WITH REVISED INDEX

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IMMIGRATION LAWS AND REGULATIONS.

IMMIGRATION ACT OF FEBRUARY 20, 1907.

NOTE.—The Immigration Act of February 20, 1907, repeals the act of March 3, 1903, and all prior acts or parts of acts inconsistent with the new law. In the back of this pamphlet are published such portions of the prior acts as are not repealed by or reenacted in the act of February 20, 1907; also the act of March 2, 1907, regarding expatriation. If necessary to refer to the old acts, they may be found in the pamphlets "Immigration Laws and Regulations" heretofore issued, or in the United States Statutes at Large, as follows: Note as to acts published herein.

List of immigration acts.

Act approved March 3, 1875: 18 Stat., part 3, page 477.
Act approved August 3, 1882: 22 Stat., page 214.
Act approved June 26, 1884 (sec. 22 only): 23 Stat., page 58.
Act approved February 26, 1885: 23 Stat., page 332.
Act approved February 23, 1887: 24 Stat., page 414.
Act approved October 19, 1888: 25 Stat., page 565.
Act approved March 3, 1891: 26 Stat., page 1084.
Act approved February 15, 1893 (sec. 7): 27 Stat., page 449.
Act approved March 3, 1893: 27 Stat., page 569.
Act approved August 18, 1894: 28 Stat., page 390.
Act approved March 2, 1895: 28 Stat., page 780.
Act approved June 6, 1900: 31 Stat., page 611.
Act approved April 29, 1902: 32 Stat., part 1, page 176.
Act approved March 3, 1903: 32 Stat., part 1, page 1213.
Act approved March 22, 1904: 33 Stat., part 1, page 144.
Act approved April 28, 1904: 33 Stat., part 1, page 591.
Act approved February 3, 1905: 33 Stat., part 1, page 684.

ACT OF FEBRUARY 20, 1907.

AN ACT to regulate the immigration of aliens into the United States.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there shall be levied, collected, and paid a tax of four dollars for every alien entering the United

Head tax:

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Head tax: To whom paid; By whom paid.

States.[a] The said tax shall be paid to the collector of customs of the port or customs district to which said alien shall come, or, if there be no collector at such port or district, then to the collector nearest thereto, by the master, agent, owner, or consignee of the vessel, transportation line, or other conveyance or vehicle bringing such alien to the United States.

Head tax, fines, and rentals, to constitute—

The money thus collected, together with all fines and rentals[b] collected under the laws regulating the immigration of aliens into the United States, shall be paid into the Treasury of the United States, and shall constitute a permanent appropriation to be called the "immigrant fund," to be used under the direction of the Secretary of Commerce and Labor to defray the expense of regulating the immigration of aliens into the United States under said laws, including the contract labor laws, the cost of reports of decisions of the Federal courts, and digest thereof, for the use of the Commissioner-General of Immigration, and the salaries and expenses of all officers, clerks, and employees appointed to enforce said laws.

Immigrant fund: For what used.

Head tax: To be lien upon vessel; How payment enforced; Classes exempted from payment of;

The tax imposed by this section shall be a lien upon the vessel, or other vehicle of carriage or transportation bringing such aliens to the United States, and shall be a debt in favor of the United States against the owner or owners of such vessel, or other vehicle, and the payment of such tax may be enforced by any legal or equitable remedy. That the said tax shall not be levied upon aliens who shall enter the United States after an uninterrupted residence of at least one year, immediately preceding such entrance, in the Dominion of Canada, Newfoundland, the Republic of Cuba, or the Republic of Mexico, nor upon otherwise admissible residents of any possession of the United States, nor upon aliens in transit through the United States, nor upon aliens who have been lawfully admitted to the United States and who later shall go in transit from one part of the United States to another through foreign contiguous territory:[c] *Provided*, That the Commissioner-General of Immigration, under the direction or with the approval of the Secretary of Commerce and Labor, by agreement with transportation lines, as provided in section thirty-two of this Act, may arrange in some other manner for the payment of the tax imposed by this section upon any or all aliens seeking admission from foreign contiguous territory:[d] *Provided further*, That if in any fiscal year the amount of money collected under the provisions of this section shall exceed two million five hundred thousand dollars, the excess above

Payment on account aliens from contiguous territory;

No more than $2,500,000 to go into Immigrant fund;

[a] For specific exceptions, see Rule 2.

[b] For method of depositing fines and rentals, see Rule 3; for procedure in collecting fines and reporting suits for collection, see Rules 28, 29, and 30.

[c] See paragraph (*g*), Rule 2.

[d] See Rules 2, 25, and 27.

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that amount shall not be added to the "immigrant fund:" *Provided further*, That the provisions of this section shall not apply to aliens arriving in Guam, Porto Rico, or Hawaii; but if any such alien, not having become a citizen of the United States, shall later arrive at any port or place of the United States on the North American Continent the provisions of this section shall apply:[a] *Provided further*, That whenever the President shall be satisfied that passports issued by any foreign government to its citizens to go to any country other than the United States or to any insular possession of the United States or to the Canal Zone are being used for the purpose of enabling the holders to come to the continental territory of the United States to the detriment of labor conditions therein, the President may refuse to permit such citizens of the country issuing such passports to enter the continental territory of the United States from such other country or from such insular possessions or from the Canal Zone.[b]

Head tax:

Exceptions—Guam, Porto Rico, and Hawaii.

Passports:

If limited and used to detriment labor conditions, holders to be rejected.

SEC. 2. That the following classes of aliens shall be excluded from admission into the United States: All idiots, imbeciles, feeble-minded persons, epileptics, insane persons, and persons who have been insane within five years previous; persons who have had two or more attacks of insanity at any time previously; paupers; persons likely to become a public charge;[c] professional beggars; persons afflicted with tuberculosis or with a loathsome or dangerous contagious disease;[d] persons not comprehended within any of the foregoing excluded classes who are found to be and are certified by the examining surgeon as being mentally or physically defective, such mental or physical defect being of a nature which may affect the ability of such alien to earn a living;[c] persons who have been convicted of or admit having committed a felony or other crime or misdemeanor involving moral turpitude; polygamists, or persons who admit their belief in the practice of polygamy, anarchists, or persons who believe in or advocate the overthrow by force or violence of the Government of the United States, or of all government, or of all forms of law, or the assassination of public officials; prostitutes, or women or girls coming into the United States for the purpose of prostitution or for any other immoral purpose; persons who procure or attempt to bring in pros-

Excluded classes:

Idiots, insane, etc.;

Paupers, persons likely to become a public charge;

Diseased;

Mentally or physically defective;

Criminals;

Polygamists;

Anarchists;

Prostitutes, etc.;

[a] See Rule 2.

[b] For President's proclamation and regulations drawn thereunder, see Rule 21.

[c] For provisions for landing under bond persons likely to become public charges and persons certified for physical defects, see Rule 20.

[d] For provision for placing in hospital, "with the express permission of the Secretary," persons afflicted with tuberculosis or with a loathsome or dangerous contagious disease, see Rule 10.

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Excluded classes:
titutes or women or girls for the purpose of prostitution or for any other immoral purpose; persons hereinafter

Contract laborers;
called contract laborers, who have been induced or solicited to migrate to this country by offers or promises of employment or in consequence of agreements, oral, written or printed, express or implied, to perform labor in this country of any kind, skilled or unskilled; those who have been, within one year from the date of application for admission to the United States, deported as having been induced or solicited to migrate as above described;

Assisted aliens;
any person whose ticket or passage is paid for with the money of another, or who is assisted by others to come, unless it is affirmatively and satisfactorily shown that such person does not belong to one of the foregoing excluded classes, and that said ticket or passage was not paid for by any corporation, association, society, municipality, or foreign government, either directly or indirectly; all children under sixteen years of age, unaccompanied by one or both of their parents, at the discretion of the Secretary of Commerce and Labor or under such regulations as he may from time to time prescribe:[a] *Provided*, That nothing in this Act shall exclude, if otherwise admissible, persons convicted of an offense purely political, not involving moral turpitude: *Provided further*, That the provisions of this section relating to the payments for tickets or passage by any corporation, association, society, municipality, or foreign government shall not apply to the tickets or passage of aliens in immediate and continuous transit through the United States to foreign contiguous territory: *And provided further*, That skilled labor may be imported if labor of like kind unemployed can not be found in this country: *And provided further*, That the provisions of this law applicable to contract labor shall not be held to exclude professional actors, artists, lecturers, singers, ministers of any religious denomination, professors for colleges or seminaries, persons belonging to any recognized learned profession, or persons employed strictly as personal or domestic servants.

Children under 16;

Exceptions—

Offenses political;

Transits;

Skilled labor;

Actors, artists, etc.

Prostitutes:

Importation or holding penalized;

SEC. 3. That the importation into the United States of any alien woman or girl for the purpose of prostitution, or for any other immoral purpose, is hereby forbidden; and whoever shall, directly or indirectly, import, or attempt to import, into the United States, any alien woman or girl for the purpose of prostitution, or for any other immoral purpose, or whoever shall hold or attempt to hold any alien woman or girl for any such purpose in pursuance of such illegal importation, or whoever shall keep, maintain, control, support, or harbor in any house or other place, for the purpose of prostitution, or for any other immoral purpose, any alien woman or girl, within three years after she shall have entered the United States,

[a] For regulations, see Rule 5.

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shall, in every such case, be deemed guilty of a felony, and on conviction thereof be imprisoned not more than five years and pay a fine of not more than five thousand dollars; and any alien woman or girl who shall be found an inmate of a house of prostitution or practicing prostitution, at any time within three years after she shall have entered the United States, shall be deemed to be unlawfully within the United States and shall be deported as provided by sections twenty and twenty-one of this Act.[a]

Prostitutes: Deportation of, within three years.

SEC. 4. That it shall be a misdemeanor for any person, company, partnership, or corporation, in any manner whatsoever, to prepay the transportation or in any way to assist or encourage the importation or migration of any contract laborer or contract laborers into the United States, unless such contract laborer or contract laborers are exempted under the terms of the last two provisos contained in section two of this Act.

Contract laborers: Importation of, forbidden;

SEC. 5. That for every violation of any of the provisions of section four of this Act the person, partnership, company, or corporation violating the same, by knowingly assisting, encouraging, or soliciting the migration or importation of any contract laborer into the United States shall forfeit and pay for every such offense the sum of one thousand dollars, which may be sued for and recovered by the United States, or by any person who shall first bring his action therefor in his own name and for his own benefit, including any such alien thus promised labor or service of any kind as aforesaid, as debts of like amount are now recovered in the courts of the United States; and separate suits may be brought for each alien thus promised labor or service of any kind as aforesaid.[b] And it shall be the duty of the district attorney of the proper district to prosecute every such suit when brought by the United States.

Penalty for importing; U. S. attorneys to prosecute suits;

SEC. 6. That it shall be unlawful and be deemed a violation of section four of this Act to assist or encourage the importation or migration of any alien by promise of employment through advertisements printed and published in any foreign country; and any alien coming to this country in consequence of such an advertisement shall be treated as coming under promise or agreement as contemplated in section two of this Act, and the penalties imposed by section five of this Act shall be applicable to such a case: *Provided*, That this section shall not apply to States or Territories, the District of Columbia, or places subject to the jurisdiction of the United States advertising the inducements they offer for immigration thereto, respectively.

Advertising for, forbidden; Exception, in favor States and Territories.

SEC. 7. That no transportation company or owner or owners of vessels, or others engaged in transporting aliens into the United States, shall, directly or indirectly, either by writing, printing, or oral representation, solicit, invite,

Soliciting: Forbidden on part transportation companies;

[a] See paragraph (c), Rule 31, and Rules 34–38.
[b] For method of reporting, see Rule 30.

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Soliciting: or encourage the immigration of any aliens into the United States, but this shall not be held to prevent transportation companies from issuing letters, circulars, or advertisements, stating the sailings of their vessels and terms and facilities of transportation therein; and for a violation of this provision, any such transportation company, and any such owner or owners of vessels, and all others engaged in transporting aliens into the United Penalty for. States, and the agents by them employed, shall be severally subjected to the penalties imposed by section five of this Act.

Unlawful landing: SEC. 8. That any person, including the master, agent, owner, or consignee of any vessel, who shall bring into Penalty for. or land in the United States, by vessel or otherwise, or who shall attempt, by himself or through another, to bring into or land in the United States, by vessel or otherwise, any alien not duly admitted by an immigrant inspector or not lawfully entitled to enter the United States shall be deemed guilty of a misdemeanor, and shall, on conviction, be punished by a fine not exceeding one thousand dollars, or by imprisonment for a term not exceeding two years, or by both such fine and imprisonment for each and every alien so landed or brought in or attempted to be landed or brought in.[a]

Fine $100: SEC. 9. That it shall be unlawful for any person, in-
For bringing diseased aliens; cluding any transportation company other than railway lines entering the United States from foreign contiguous territory, or the owner, master, agent, or consignee of any vessel to bring to the United States any alien subject to any of the following disabilities: Idiots, imbeciles, epileptics, or persons afflicted with tuberculosis or with a loathsome or dangerous contagious disease, and if it shall appear to the satisfaction of the Secretary of Commerce and Labor that any alien so brought to the United States was afflicted with any of the said diseases or disabilities at the time of foreign embarkation and that the existence of such disease or disability might have been detected by means of a competent medical examination at such time,
Method of collecting. of such person or transportation company, or the master, agent, owner, or consignee of any such vessel shall pay to the collector of customs of the customs district in which the port of arrival is located the sum of one hundred dollars for each and every violation of the provisions of this section; and no vessel shall be granted clearance papers pending the determination of the question of the liability to the payment of such fine, and in the event such fine is imposed, while it remains unpaid, nor shall such fine be remitted or refunded: *Provided*, That clearance may be granted prior to the determination of such questions upon the deposit of a sum sufficient to cover such fine and costs, such sum to be named by the Secretary of Commerce and Labor.[b]

[a] For method of reporting, see Rule 30.
[b] For method of imposing, see Rule 28.

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Appeals:
Not allowed aliens afflicted with tuberculosis or dangerous contagious diseases.

SEC. 10. That the decision of the board of special inquiry, hereinafter provided for, based upon the certificate of the examining medical officer, shall be final as to the rejection of aliens affected with tuberculosis or with a loathsome or dangerous contagious disease, or with any mental or physical disability which would bring such aliens within any of the classes excluded from admission to the United States under section two of this Act.[a]

Guardian en voyage:
Transportation companies to bear expense of.

SEC. 11. That upon the certificate of a medical officer of the United States Public Health and Marine Hospital Service to the effect that a rejected alien is helpless from sickness, mental or physical disability, or infancy, if such alien is accompanied by another alien whose protection or guardianship is required by such rejected alien, such accompanying alien may also be excluded, and the master, agent, owner, or consignee of the vessel in which such alien and accompanying alien are brought shall be required to return said alien and accompanying alien in the same manner as vessels are required to return other rejected aliens.[b]

Manifests:
Incoming passengers—

SEC. 12. That upon the arrival of any alien by water at any port within the United States,[c] it shall be the duty of the master or commanding officer of the steamer, sailing or other vessel having said alien on board to deliver to the immigration officers at the port of arrival lists or manifests made at the time and place of embarkation of such alien on board such steamer or vessel, which shall, in answer to questions at the top of said list, state as to each alien the full name, age, and sex; whether married or single; the calling or occupation; whether able to read or write; the nationality; the race; the last residence; the name and address of the nearest relative in the country from which the alien came; the seaport for landing in the United States; the final destination, if any, beyond the port of landing; whether having a ticket through to such final destination; whether the alien has paid his own passage or whether it has been paid by any other person or by any corporation, society, municipality, or government, and if so, by whom; whether in possession of fifty dollars, and if less, how much; whether going to join a relative or friend, and if so, what relative or friend, and his or her name and complete address; whether ever before in the United States, and if so, when and where; whether ever in prison or almshouse or an institution or hospital for the care and treatment of the insane or supported by charity; whether a polygamist; whether an anarchist; whether coming by reason of any offer, solicitation, promise, or agreement, express or implied, to perform labor in the United States,

What to contain;

[a] See Rules 6 and 20; also latter part of section 25.
[b] See Rule 12.
[c] For the procurement of manifests from Canadian transportation companies, see paragraph (*e*), Rule 25.

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Manifests: and what is the alien's condition of health, mental and physical, and whether deformed or crippled, and if so,

Outgoing passengers— for how long and from what cause; that it shall further be the duty of the master or commanding officer of every vessel taking alien passengers out of the United States, from any port thereof, to file before departure therefrom with the collector of customs of such port a complete list of all such alien passengers taken on board.

What to contain; Such list shall contain the name, age, sex, nationality, residence in the United States, occupation, and the time of last arrival of every such alien in the United States, and no master of any such vessel shall be granted clearance papers for his vessel until he has deposited such list or lists with the collector of customs at the port of departure and made oath that they are full and complete as to the name and other information herein required concerning each alien taken on board his vessel;[a] and any neglect or omission to comply with the requirements of this section shall be punishable as provided in section fifteen of this Act.[b]

Penalty;

With whom deposited; That the collector of customs with whom any such list has been deposited in accordance with the provisions of this section, shall promptly notify the Commissioner-General of Immigration that such list has been deposited with him as provided, and shall make such further disposition thereof as may be required by regulations to be issued by the Commissioner-General of Immigration with the approval of the Secretary of Commerce and Labor:[c] *Provided*, That in the case of vessels making regular trips to ports of the United States the Commissioner-General of Immigration, with the approval of the Secretary of Commerce and Labor, may, when expedient, arrange for the delivery of such lists of outgoing aliens at a later date:[c] *Provided further*, That it shall be the duty of the master or commanding officer of any vessel sailing from ports in the Philippine Islands, Guam, Porto Rico, or Hawaii to any port of the United States on the North American Continent to deliver to the immigration officers at the port of arrival lists or manifests made at the time and place of embarkation, giving the names of all aliens on board said vessel.[d]

Of aliens from the Philippines, Guam, Porto Rico, and Hawaii;

How made up; SEC. 13. That all aliens arriving by water at the ports of the United States shall be listed in convenient groups, and no one list or manifest shall contain more than thirty names. To each alien or head of a family shall be given a ticket on which shall be written his name, a number or letter designating the list in which his name, and so forth, is contained, and his number on said list, for convenience

[a] For the procurement of manifests from Canadian transportation companies, see paragraph (*e*), Rule 25.
[b] For method of imposing fine, see Rule 29.
[c] See Rule XXIX, statistical regulations.
[d] See paragraphs (*b*) and (*c*), Rule I, statistical regulations.

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of identification on arrival. Each list or manifest shall be verified by the signature and the oath of affirmation of the master or commanding officer, or the first or second below him in command, taken before an immigration officer at the port of arrival, to the effect that he has caused the surgeon of said vessel sailing therewith to make a physical and oral examination of each of said aliens, and that from the report of said surgeon and from his own investigation he believes that no one of said aliens is an idiot, or imbecile, or a feeble-minded person, or insane person, or a pauper, or is likely to become a public charge, or is afflicted with tuberculosis or with a loathsome or dangerous contagious disease, or is a person who has been convicted of, or who admits having committed a felony or other crime or misdemeanor involving moral turpitude, or is a polygamist or one admitting belief in the practice of polygamy, or an anarchist, or under promise or agreement, express or implied, to perform labor in the United States, or a prostitute, or a woman or girl coming to the United States for the purpose of prostitution, or for any other immoral purpose, and that also, according to the best of his knowledge and belief, the information in said lists or manifests concerning each of said aliens named therein is correct and true in every respect.

Manifests: To be signed and sworn to by master, as to correctness of contents;

SEC. 14. That the surgeon of said vessel sailing therewith shall also sign each of said lists or manifests and make oath or affirmation in like manner before an immigration officer at the port of arrival, stating his professional experience and qualifications as a physician and surgeon, and that he has made a personal examination of each of the said aliens named therein, and that the said list or manifest, according to the best of his knowledge and belief, is full, correct, and true in all particulars relative to the mental and physical condition of said aliens. If no surgeon sails with any vessel bringing aliens the mental and physical examinations and the verifications of the lists or manifests shall be made by some competent surgeon employed by the owners of the said vessel.[a]

To be signed and sworn to by surgeon;

SEC. 15. That in the case of the failure of the master or commanding officer of any vessel to deliver to the said immigration officers lists or manifests of all aliens on board thereof, as required in sections twelve, thirteen, and fourteen of this Act, he shall pay to the collector of customs at the port of arrival the sum of ten dollars for each alien concerning whom the above information is not contained in any list as aforesaid: *Provided*, That in the case of failure without good cause to deliver the list of passengers required by section twelve of this Act from the master or commanding officer of every vessel taking alien passengers out of the United States, the penalty shall be paid to the collector of customs at the port of departure

Incoming passengers—

Penalty of $10;

Outgoing passengers—

Penalty of $10;

[a] See paragraph (*g*), Rule 29.

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Manifests: Aggregate fines not to exceed $100.

and shall be a fine of ten dollars for each alien not included in said list; but in no case shall the aggregate fine exceed one hundred dollars.[a]

Inspection: On board vessel; Landing for, not actual landing; If placed in station, immigration officers responsible.

SEC. 16. That upon the receipt by the immigration officers at any port of arrival of the lists or manifests of incoming aliens provided for in sections twelve, thirteen, and fourteen of this Act, it shall be the duty of said officers to go or to send competent assistants to the vessel to which said lists or manifests refer, and there inspect all such aliens, or said immigration officers may order a temporary removal of such aliens for examination at a designated time and place, but such temporary removal shall not be considered a landing, nor shall it relieve the transportation lines, masters, agents, owners, or consignees of the vessel upon which said aliens are brought to any port of the United States from any of the obligations which, in case such aliens remain on board, would, under the provisions of this Act, bind the said transportation lines, masters, agents, owners, or consignees: *Provided*, That where a suitable building is used for the detention and examination of aliens the immigration officials shall there take charge of such aliens, and the transportation companies, masters, agents, owners, and consignees of the vessels bringing such aliens shall be relieved of the responsibility for their detention thereafter until the return of such aliens to their care.

Medical examination: To be made by P. H. and M. H. surgeons; P. H. and M. H. Service to be reimbursed for surgeons' salaries.

SEC. 17. That the physical and mental examination of all arriving aliens shall be made by medical officers of the United States Public Health and Marine-Hospital Service, who shall have had at least two years' experience in the practice of their profession since receiving the degree of doctor of medicine and who shall certify for the information of the immigration officers and the boards of special inquiry hereinafter provided for, any and all physical and mental defects or diseases observed by said medical officers in any such alien,[b] or, should medical officers of the United States Public Health and Marine-Hospital Service be not available, civil surgeons of not less than four years' professional experience may be employed in such emergency for such service, upon such terms as may be prescribed by the Commissioner-General of Immigration under the direction or with the approval of the Secretary of Commerce and Labor. The United States Public Health and Marine-Hospital Service shall be reimbursed by the immigration service for all expenditures incurred in carrying out the medical inspection of aliens under regulations of the Secretary of Commerce and Labor.

Unlawful landing:

SEC. 18. That it shall be the duty of the owners, officers, or agents of any vessel or transportation line, other than

[a] For procedure, see Rule 29.
[b] See Rule 9.

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those railway lines which may enter into a contract as provided in section thirty-two of this Act, bringing an alien to the United States to prevent the landing of such alien in the United States at any time or place other than as designated by the immigration officers, and the negligent failure of any such owner, officer, or agent to comply with the foregoing requirements shall be deemed a misdemeanor and be punished by a fine in each case of not less than one hundred nor more than one thousand dollars or by imprisonment for a term not exceeding one year, or by both such fine and imprisonment;[a] and every such alien so landed shall be deemed to be unlawfully in the United States and shall be deported as provided in sections twenty and twenty-one of this Act.[b]

Unlawful landing:
Exception under sec. 32;
Penalty for;
Deportation of aliens so landed.

SEC. 19. That all aliens brought to this country in violation of law shall, if practicable, be immediately sent back to the country whence they respectively came on the vessels bringing them. The cost of their maintenance while on land, as well as the expense of the return of such aliens, shall be borne by the owner or owners of the vessels on which they respectively came; and if any master, person in charge, agent, owner, or consignee of any such vessel shall refuse to receive back on board thereof, or on board of any other vessel owned or operated by the same interests, such aliens, or shall fail to detain them thereon, or shall refuse or fail to return them to the foreign port from which they came, or to pay the cost of their maintenance while on land, or shall make any charge for the return of any such alien, or shall take any security from him for the payment of such charge, such master, person in charge, agent, owner, or consignee shall be deemed guilty of a misdemeanor and shall, on conviction, be punished by a fine of not less than three hundred dollars for each and every such offense; and no vessel shall have clearance from any port of the United States while any such fine is unpaid:[a] *Provided*, That the Commissioner-General of Immigration, with the approval of the Secretary of Commerce and Labor, may suspend, upon conditions to be prescribed by the Commissioner-General of Immigration, the deportation of any alien found to have come in violation of any provision of this Act, if, in his judgment, the testimony of such alien is necessary on behalf of the United States Government in the prosecution of offenders against any provision of this Act: *Provided*, That the cost of maintenance of any person so detained resulting from such suspension of deportation shall be paid from the "immigrant fund"[c] but no alien certified, as provided in section seventeen of this Act, to be suffering from tuberculosis or from a loathsome or dangerous contagious disease other than one of quaran-

Deportation:
By vessel bringing;
Cost of, and of detention, to be borne by steamship companies;
Penalty for failure to hold, deport, or maintain;
Penalty for taking security.
Witnesses:
Authority to hold;
Cost paid from immigrant fund.
Hospital treatment — by express permission of Secretary:
Of those suffering with tuberculosis or loathsome or dangerous disease.

[a] For method of reporting, see Rule 30.
[b] See paragraph (*d*), Rule 31, and Rules 34–38.
[c] See Rule 14.

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tinable nature shall be permitted to land for medical treatment thereof in any hospital in the United States, unless with the express permission of the Secretary of Commerce and Labor:[a] *Provided*, That upon the certificate of a medical officer of the United States Public Health and Marine-Hospital Service to the effect that the health or safety of an insane alien would be unduly imperiled by immediate deportation, such alien may, at the expense of the "immigrant fund," be held for treatment until such time as such alien may, in the opinion of such medical officer, be safely deported.[a]

Insane aliens: Holding for treatment, expense immigrant fund.

Deportation: Unlawful residents and public charges; how expense of, to be borne.

SEC. 20. That any alien who shall enter the United States in violation of law, and such as become public charges from causes existing prior to landing, shall, upon the warrant of the Secretary of Commerce and Labor, be taken into custody and deported to the country whence he came at any time within three years after the date of his entry into the United States. Such deportation, including one-half of the entire cost of removal to the port of deportation, shall be at the expense of the contractor, procurer, or other person by whom the alien was unlawfully induced to enter the United States, or, if that can not be done, then the cost of removal to the port of deportation shall be at the expense of the "immigrant fund" provided for in section one of this Act, and the deportation from such port shall be at the expense of the owner or owners of such vessel or transportation line by which such aliens respectively came:[b] *Provided*, That pending the final disposal of the case of any alien so taken into custody he may be released under a bond in the penalty of not less than five hundred dollars with security approved by the Secretary of Commerce and Labor, conditioned that such alien shall be produced when required for a hearing or hearings in regard to the charge upon which he has been taken into custody, and for deportation if he shall be found to be unlawfully within the United States.[c]

Bond: Releasing arrested aliens on.

Deportation: Of aliens subject thereto; penalty against vessels for refusal to deport on warrant;

SEC. 21. That in case the Secretary of Commerce and Labor shall be satisfied that an alien has been found in the United States in violation of this Act, or that an alien is subject to deportation under the provisions of this Act or of any law of the United States, he shall cause such alien within the period of three years after landing or entry therein to be taken into custody and returned to the country whence he came, as provided by section twenty of this Act,[b] and a failure or refusal on the part of the masters, agents, owners, or consignees of vessels to comply with the order of the Secretary of Commerce and Labor to take on board, guard safely, and return to the country whence he came any alien ordered to be deported

[a] See Rule 10.
[b] See Rules 31–37.
[c] See paragraph (*g*), Rule 35.

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under the provisions of this Act shall be punished by the imposition of the penalties prescribed in section nineteen of this Act:[a] *Provided*, That when in the opinion of the Secretary of Commerce and Labor the mental or physical condition of such alien is such as to require personal care and attendance, he may employ a suitable person for that purpose, who shall accompany such alien to his or her final destination, and the expense incident to such service shall be defrayed in like manner.[b]

Deportation:

Attendants for deported persons.

SEC. 22. That the Commissioner-General of Immigration, in addition to such other duties as may by law be assigned to him, shall, under the direction of the Secretary of Commerce and Labor, have charge of the administration of all laws relating to the immigration of aliens into the United States, and shall have the control, direction, and supervision of all officers, clerks, and employees appointed thereunder. He shall establish such rules and regulations, prescribe such forms of bond, reports, entries, and other papers, and shall issue from time to time such instructions, not inconsistent with law, as he shall deem best calculated for carrying out the provisions of this Act and for protecting the United States and aliens migrating thereto from fraud and loss, and shall have authority to enter into contract for the support and relief of such aliens as may fall into distress or need public aid; all under the direction or with the approval of the Secretary of Commerce and Labor. And it shall be the duty of the Commissioner-General of Immigration to detail officers of the immigration service from time to time as may be necessary, in his judgment, to secure information as to the number of aliens detained in the penal, reformatory, and charitable institutions (public and private) of the several States and Territories, the District of Columbia, and other territory of the United States and to inform the officers of such institutions of the provisions of law in relation to the deportation of aliens who have become public charges: *Provided*, That the Commissioner-General of Immigration may, with the approval of the Secretary of Commerce and Labor, whenever in his judgment such action may be necessary to accomplish the purposes of this Act, detail immigration officers, and also surgeons, in accordance with the provisions of section seventeen, for service in foreign countries.

Commissioner-General:

Duties of;

To make contracts for relief of aliens;

To detail officers to investigate public charges;

To detail officers abroad.

SEC. 23. That the duties of the commissioners of immigration shall be of an administrative character, to be prescribed in detail by regulations prepared, under the direction or with the approval of the Secretary of Commerce and Labor.

Commissioners:

Duties of.

SEC. 24. That immigrant inspectors and other immigration officers, clerks, and employees shall hereafter be appointed and their compensation fixed and raised or de-

Employees:

Appointing and promoting.

[a] For method of reporting, see Rule 30.
[b] For procedure for providing attendant, see Rule 37.

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creased from time to time by the Secretary of Commerce and Labor, upon the recommendation of the Commissioner-General of Immigration and in accordance with the provisions of the civil-service Act of January sixteenth, eighteen hundred and eighty-three: *Provided*,

Contract labor laws:
Special provision for enforcement of.

That said Secretary, in the enforcement of that portion of this Act which excludes contract laborers, may employ, without reference to the provisions of the said civil service Act, or to the various Acts relative to the compilation of the official register, such persons as he may deem advisable and from time to time fix, raise, or decrease their compensation. He may draw from the "immigrant fund" annually fifty thousand dollars or as much thereof as may be necessary, to be expended for the salaries and expenses of persons so employed and for expenses incident to such employment; and the accounting officers of the Treasury shall pass to the credit of the proper disbursing officer expenditures from said sum without itemized account whenever the Secretary of Commerce and Labor certifies that an itemized account would not be for the best interests of the Government: *Provided further*,

Commissioners:
Appointing.

That nothing herein contained shall be construed to alter the mode of appointing commissioners of immigration at the several ports of the United States as provided by the sundry civil appropriation Act approved August eighteenth, eighteen hundred and ninety-four, or the official status of such commissioners heretofore appointed.

Immigration officers:
Power and authority of;

Immigration officers shall have power to administer oaths and to take and consider evidence touching the right of any alien to enter the United States, and, where such action may be necessary, to make a written record of such evidence; and any person to whom such an oath has been administered under the provisions of this Act who shall knowingly or wilfully give false evidence or swear to any false statement in any way affecting or in relation to the right of any alien to admission to the United States shall be deemed guilty of perjury and be punished as provided by section fifty-three hundred and ninety-two, United States Revised Statutes. The decision of any such officer, if favorable to the admission of any alien, shall be subject to challenge by any other immigration officer, and such challenge shall operate to take the alien whose right to land is so challenged before a board of special inquiry for its investigation. Every alien who may not appear to the examining immigrant inspector at the port of arrival to be clearly and beyond a doubt entitled to land shall be detained for examination in relation thereto by a board of special inquiry.

False swearing before, perjury;
Challenging decision of.
Boards of special inquiry:
Detaining aliens for;

Appointing;

SEC. 25. That such boards of special inquiry shall be appointed by the commissioner of immigration at the various ports of arrival as may be necessary for the prompt determination of all cases of immigrants detained at such ports under the provisions of law.[a] Each

[a] See Rule 17 for form of oath of board member.

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board shall consist of three members, who shall be selected from such of the immigrant officials in the service as the Commissioner-General of Immigration, with the approval of the Secretary of Commerce and Labor, shall from time to time designate as qualified to serve on such boards: *Provided*, That at ports where there are fewer than three immigrant inspectors, the Secretary of Commerce and Labor, upon the recommendation of the Commissioner-General of Immigration, may designate other United States officials for service on such boards of special inquiry. Such boards shall have authority to determine whether an alien who has been duly held shall be allowed to land or shall be deported. All hearings before boards shall be separate and apart from the public, but the said boards shall keep a complete permanent record of their proceedings and of all such testimony as may be produced before them; and the decision of any two members of a board shall prevail, but either the alien or any dissenting member of the said board may appeal through the commissioner of immigration at the port of arrival and the Commissioner-General of Immigration to the Secretary of Commerce and Labor, and the taking of such appeal shall operate to stay any action in regard to the final disposal of any alien whose case is so appealed until the receipt by the commissioner of immigration at the port of arrival of such decision which shall be rendered solely upon the evidence adduced before the board of special inquiry: *Provided*, That in every case where an alien is excluded from admission into the United States, under any law or treaty now existing or hereafter made, the decision of the appropriate immigration officers, if adverse to the admission of such alien, shall be final, unless reversed on appeal to the Secretary of Commerce and Labor; but nothing in this section shall be construed to admit of any appeal in the case of an alien rejected as provided for in section ten of this Act.[a]

Boards of special inquiry:
Other officials for;
Authority of;
Hearings before, private.
Appeals:
Manner of taking;
Decision on, based solely upon original evidence;
Unless taken, decision of officers final;
Not allowed in cases rejected under section 10.

SEC. 26. That any alien liable to be excluded because likely to become a public charge or because of physical disability other than tuberculosis or a loathsome or dangerous contagious disease may, if otherwise admissible, nevertheless be admitted in the discretion of the Secretary of Commerce and Labor upon the giving of a suitable and proper bond or undertaking, approved by said Secretary in such amount and containing such conditions as he may prescribe, to the people of the United States, holding the United States or any State, Territory, county, municipality, or district thereof harmless against such alien becoming a public charge. The admission of such alien shall be a consideration for the giving of such bond or undertaking. Suit may be brought thereon in the name and by the proper law officers either of the United States Government or of any State, Territory, district,

Bonds:
Landing under;
In what cases permissible;
Bringing suits upon.

[a] See Rules 5–8.

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county, or municipality in which such alien becomes a public charge.[a]

Suits: Compromising, etc.; SEC. 27. That no suit or proceeding for a violation of the provisions of this Act shall be settled, compromised, or discontinued without the consent of the court in which it is pending, entered of record, with the reasons therefor.

Under former acts not affected hereby. SEC. 28. That nothing contained in this Act shall be construed to affect any prosecution, suit, action, or proceedings brought, or any act, thing, or matter, civil or criminal, done or existing at the time of the taking effect of this Act; but as to all such prosecutions, suits, actions, proceedings, acts, things, or matters the laws or parts of laws repealed or amended by this Act are hereby continued in force and effect.

Courts, circuit and district: Jurisdiction. SEC. 29. That the circuit and district courts of the United States are hereby invested with full and concurrent jurisdiction of all causes, civil and criminal, arising under any of the provisions of this Act.

Exclusive privileges: How granted; SEC. 30. That all exclusive privileges of exchanging money, transporting passengers or baggage, or keeping eating houses, and all other like privileges in connection with any United States immigrant station, shall be disposed of after public competition, subject to such conditions and limitations as the Commissioner-General of Immigration, under the direction or with the approval of the Secretary of Commerce and Labor, may prescribe: *Provided*, That no intoxicating liquors shall be sold in any such immigrant station; that all receipts accruing from the disposal of such exclusive privileges as herein provided shall be paid into the Treasury of the United States to the credit of the "immigrant fund" provided for in section one of this Act.

Proceeds from, to be paid into immigrant fund.

Peace officers: Admission to stations. SEC. 31. That for the preservation of the peace and in order that arrests may be made for crimes under the laws of the States and Territories of the United States where the various immigrant stations are located, the officers in charge of such stations, as occasion may require, shall admit therein the proper State and municipal officers charged with the enforcement of such laws, and for the purpose of this section the jurisdiction of such officers and of the local courts shall extend over such stations.

Commissioner-General: To make rules and contracts for inspection on land boundaries. SEC. 32. That the Commissioner-General of Immigration, under the direction or with the approval of the Secretary of Commerce and Labor, shall prescribe rules for the entry and inspection of aliens along the borders of Canada and Mexico, so as not to unnecessarily delay, impede, or annoy passengers in ordinary travel between the United States and said countries, and shall have power to enter into contracts with transportation lines for the said purpose.[b]

[a] See Rule 20 as to circumstances under which accepted.

[b] For arrangement on Canadian border, see Rule 25; on Mexican border, Rule 27.

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"United States:" Meaning of term.

SEC. 33. That for the purpose of this Act the term "United States" as used in the title as well as in the various sections of this Act shall be construed to mean the United States and any waters, territory, or other place subject to the jurisdiction thereof, except the Isthmian Canal Zone: *Provided*, That if any alien shall leave the canal zone and attempt to enter any other place under the jurisdiction of the United States, nothing contained in this Act shall be construed as permitting him to enter under any other conditions than those applicable to all aliens.

Canal Zone: Inspection of aliens from.

Commissioner: Appointment of, at New Orleans.

SEC. 34. That the Commissioner-General of Immigration, with the approval of the Secretary of Commerce and Labor, may appoint a commissioner of immigration to discharge at New Orleans, Louisiana, the duties now required of other commissioners of immigration at their respective posts.

Deportation: To be to transoceanic ports;

SEC. 35. That the deportation of aliens arrested within the United States after entry and found to be illegally therein, provided for in this Act, shall be to the trans-Atlantic or trans-Pacific ports from which said aliens embarked for the United States; or, if such embarkation was for foreign contiguous territory, to the foreign port at which said aliens embarked for such territory.

Of aliens entering unlawfully.

SEC. 36. That all aliens who shall enter the United States except at the seaports thereof, or at such place or places as the Secretary of Commerce and Labor may from time to time designate, shall be adjudged to have entered the country unlawfully and shall be deported as provided by sections twenty and twenty-one of this Act: *Provided*, That nothing contained in this section shall affect the power conferred by section thirty-two of this Act upon the Commissioner-General of Immigration to prescribe rules for the entry and inspection of aliens along the borders of Canada and Mexico.[a]

Ports of entry: To be designated on land borders.

Admission: Of diseased wife or minor children of alien who has declared intention to become citizen.

SEC. 37. That whenever an alien shall have taken up his permanent residence in this country, and shall have filed his declaration of intention to become a citizen, and thereafter shall send for his wife, or minor children to join him, if said wife or any of said children shall be found to be affected with any contagious disorder, such wife or children shall be held, under such regulations as the Secretary of Commerce and Labor shall prescribe, until it shall be determined whether the disorder will be easily curable, or whether they can be permitted to land without danger to other persons; and they shall not be either admitted or deported until such facts have been ascertained; and if it shall be determined that the disorder is easily curable or that they can be permitted to land without danger to other persons, they shall, if otherwise admissible, thereupon be admitted.[b]

[a] See Rule 38; also paragraph (*g*), Rule 21.
[b] See Rule 11.

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Anarchists: Not to be admitted;

SEC. 38. That no person who disbelieves in or who is opposed to all organized government, or who is a member of or affiliated with any organization entertaining and teaching such disbelief in or opposition to all organized government, or who advocates or teaches the duty, necessity, or propriety of the unlawful assaulting or killing of any officer or officers, either of specific individuals or of officers generally, of the Government of the United States or of any other organized government, because of his or their official character, shall be permitted to enter the United States or any territory or place subject to the jurisdiction thereof. This section shall be enforced by the Secretary of Commerce and Labor under such rules and regulations as he shall prescribe. That any person who knowingly aids or assists any such person to enter the United States or any territory or place subject to the jurisdiction thereof, or who connives or conspires with any person or persons to allow, procure, or permit any such person to enter therein, except pursuant to such rules and regulations made by the Secretary of Commerce and Labor shall be fined not more than five thousand dollars, or imprisoned for not more than five years, or both.[a]

Penalty for assisting to enter.

Immigration Commission: How appointed;

SEC. 39. That a commission is hereby created, consisting of three Senators, to be appointed by the President of the Senate, and three members of the House of Representatives, to be appointed by the Speaker of the House of Representatives, and three persons, to be appointed by the President of the United States. Said commission shall make full inquiry, examination, and investigation by sub-committee or otherwise into the subject of immigration. For the purpose of said inquiry, examination, and investigation, said commission is authorized to send for persons and papers, make all necessary travel, either in the United States or any foreign country, and, through the chairman of the commission or any member thereof to administer oaths and to examine witnesses and papers respecting all matters pertaining to the subject, and to employ necessary clerical and other assistance. Said commission shall report to the Congress the conclusions reached by it and make such recommendations as in its judgment may seem proper. Such sums of money as may be necessary for the said inquiry, examination, and investigation are hereby appropriated and authorized to be paid out of the "immigrant fund" on the certificate of the chairman of said commission, including all expenses of the commissioners and a reasonable compensation, to be fixed by the President of the United States, for those members of the commission who are not members of Congress; and the President of the United States is also authorized, in the name of the Government of the United States, to call, in his discretion, an international conference, to assemble at such point as may be agreed upon, or

Authority and duties;

Expenses of, how paid.

International Conference: President authorized to arrange for;

[a] For method of reporting, see Rule 30.

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International Conference: Purpose of.

to send special commissioners to any foreign country, for the purpose of regulating by international agreement, subject to the advice and consent of the Senate of the United States, the immigration of aliens to the United States; of providing for the mental, moral, and physical examination of such aliens by American consuls or other officers of the United States Government at the ports of embarkation, or elsewhere; of securing the assistance of foreign governments in their own territories to prevent the evasion of the laws of the United States governing immigration to the United States; of entering into such international agreements as may be proper to prevent the immigration of aliens who, under the laws of the United States, are or may be excluded from entering the United States, and of regulating any matters pertaining to such immigration.

Information division: Establishment of; Duties and authority of.

SEC. 40. Authority is hereby given the Commissioner-General of Immigration to establish, under the direction and control of the Secretary of Commerce and Labor, a division of information in the Bureau of Immigration and Naturalization; and the Secretary of Commerce and Labor shall provide such clerical assistance as may be necessary. It shall be the duty of said division to promote a beneficial distribution of aliens admitted into the United States among the several States and Territories desiring immigration. Correspondence shall he had with the proper officials of the States and Territories, and said division shall gather from all available sources useful information regarding the resources, products, and physical characteristics of each State and Territory, and shall publish such information in different languages and distribute the publications among all admitted aliens who may ask for such information at the immigrant stations of the United States and to such other persons as may desire the same. When any State or Territory appoints and maintains an agent or agents to represent it at any of the immigrant stations of the United States, such agents shall, under regulations prescribed by the Commissioner-General of Immigration, subject to the approval of the Secretary of Commerce and Labor, have access to aliens who have been admitted to the United States for the purpose of presenting, either orally or in writing, the special inducements offered by such State or Territory to aliens to settle therein. While on duty at any immigrant station such agents shall be subject to all the regulations prescribed by the Commissioner-General of Immigration, who, with the approval of the Secretary of Commerce and Labor, may, for violation of any such regulations, deny to the agent guilty of such violation any of the privileges herein granted.

State agents: Appointment and stationing at ports; Courtesies to; Control of.

Foreign officials: Exempted from provisions hereof.

SEC. 41. That nothing in this Act shall be construed to apply to accredited officials of foreign governments nor to their suites, families, or guests.[a]

[a] See paragraph (*b*), Rule 2.

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Amendatory of navigation act.

SEC. 42. It shall not be lawful for the master of a steamship or other vessel whereon immigrant passengers, or passengers other than cabin passengers, have been taken at any port or place in a foreign country or dominion (ports and places in foreign territory contiguous to the United States excepted) to bring such vessel and passengers to any port or place in the United States unless the compartments, spaces, and accommodations hereinafter mentioned have been provided, allotted, maintained, and used for and by such passengers during the entire voyage; that is to say, in a steamship, the compartments or spaces, unobstructed by cargo, stores, or goods, shall be of sufficient dimensions to allow for each and every passenger carried or brought therein eighteen clear superficial feet of deck allotted to his or her use, if the compartment or space is located on the main deck or on the first deck next below the main deck of the vessel, and twenty clear superficial feet of deck allotted to his or her use for each passenger carried or brought therein if the compartment or space is located on the second deck below the main deck of the vessel: *Provided*, That if the height between the lower passenger deck and the deck immediately above it is less than seven feet, or if the apertures (exclusive of the side scuttles) through which light and air are admitted together to the lower passenger deck are less in size than in the proportion of three square feet to every one hundred superficial feet of that deck, the ship shall not carry a greater number of passengers on that deck than in the proportion of one passenger to every thirty clear superficial feet thereof. It shall not be lawful to carry or bring passengers on any deck other than the decks above mentioned. And in sailing vessels such passengers shall be carried or brought only on the deck (not being an orlop deck) that is next below the main deck of the vessel, or in a poop or deck house constructed on the main deck; and the compartment or space, unobstructed by cargo, stores, or goods, shall be of sufficient dimensions to allow one hundred and ten cubic feet for each and every passenger brought therein. And such passenger shall not be carried or brought in any between decks, nor in any compartment, space, poop, or deck house, the height of which from deck to deck is less than six feet. In computing the number of such passengers carried or brought in any vessel, children under one year of age shall not be included, and two children between one and eight years of age shall be counted as one passenger; and any person brought in any such vessel who shall have been, during the voyage, taken from any other vessel wrecked or in distress on the high seas, or have been picked up at sea from any boat, raft, or otherwise, shall not be included in such computation. The master of a vessel coming to a port or place in the United States in violation of either of the provisions of this section shall be deemed guilty of a misdemeanor; and if the

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number of passengers other than cabin passengers carried or brought in the vessel, or in any compartment, space, poop, or deck house thereof, is greater than the number allowed to be carried or brought therein, respectively, as hereinbefore prescribed, the said master shall be fined fifty dollars for each and every passenger in excess of the proper number, and may also be imprisoned not exceeding six months. Amendatory of navigation act.

This section shall take effect on January first, nineteen hundred and nine.

SEC. 43. That the Act of March third, nineteen hundred and three, being an Act to regulate the immigration of aliens into the United States, except section thirty-four thereof, and the Act of March twenty-second, nineteen hundred and four, being an Act to extend the exemption from head tax to citizens of Newfoundland entering the United States, and all Acts and parts of Acts inconsistent with this Act are hereby repealed: *Provided*, That this Act shall not be construed to repeal, alter, or amend existing laws relating to the immigration or exclusion of Chinese persons or persons of Chinese descent, nor to repeal, alter, or amend section six, chapter four hundred and fifty-three, third session Fifty-eighth Congress, approved February sixth, nineteen hundred and five, or, prior to January first, nineteen hundred and nine, section one of the Act approved August second, eighteen hundred and eighty-two, entitled "An Act to regulate the carriage of passengers by sea." Repealing clause: Exceptions.

SEC. 44. That this Act shall take effect and be enforced from and after July first, nineteen hundred and seven: *Provided, however*, That section thirty-nine of this Act and the last proviso of section one shall take effect upon the passage of this Act and section forty-two on January first, nineteen hundred and nine. When effective.

Approved February 20, 1907. (34 Stat., pt. 1, p. 898.)

EXTRACT FROM THE SUNDRY CIVIL APPROPRIATION ACT APPROVED MARCH 4, 1909.[a]

"In all, one million two hundred and sixty-six thousand seven hundred and fifty dollars, *which shall include the amount necessary for the medical inspection of aliens, as required by section seventeen of the Act of Congress approved February twentieth, nineteen hundred and seven, and the provision of said section of said Act requiring the reimbursement by the immigration fund for said expenses is hereby repealed.*"

[a] Under caption "Public Health and Marine Hospital Service" (35 Stat., 969).

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ACT APPROVED MARCH 4, 1909.

AN ACT relative to outward alien manifests on certain vessels.[a]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That until the provisions of section twelve of the immigration Act of February twentieth, nineteen hundred and seven, relating to outward alien manifests, shall be made applicable to passengers going out of the United States to Canada by land carriage, said provisions shall not apply to passengers going by vessels employed exclusively in the trade between the ports of the United States and the Dominion of Canada and the Republic of Mexico.

Approved, March 4, 1909.

[a] 35 Stat., 1060.

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IMMIGRATION REGULATIONS.

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DEPARTMENT OF COMMERCE AND LABOR,
BUREAU OF IMMIGRATION AND NATURALIZATION.

Note: Meaning of terms employed.

NOTE.—Wherever, in the following rules, the expression "Immigration Act" is used, it shall be understood to refer to the act entitled "An act to regulate the immigration of aliens into the United States," approved February 20, 1907; and wherever a numbered section is mentioned it shall be understood to refer to the section of that number in said act, unless explicitly stated to the contrary.

Philippine Islands:

Regulations not applicable to.

The following rules do not apply to aliens seeking admission to the Philippine Islands, the administration of the immigration laws and the collection of head tax therein having been vested in the officers of the general government of those islands by section 6 of the act approved February 6, 1905.

RULES RELATING TO HEAD TAX.

Head tax:

Collection of;

Rule 1. *Collection of head tax.*—The head tax imposed by section 1 of the Immigration Act is to be levied and collected in respect of all aliens entering the United States, except such as are described in Rule 2 hereof.

Certification of, to collector;

Upon the arrival of any aliens at any seaport of the United States, the immigration officer in charge shall certify to the collector of customs the number of aliens on account of whom the tax is payable and the name of the person required to pay the same. Upon receipt of such certificate, the collector of customs shall forthwith collect a tax of four dollars for each alien so certified.

Deposit of;

Refundment of;

The tax collected on account of aliens, who are not permitted to land, but are held for examination by a board of special inquiry, and the tax collected on account of aliens permitted to enter for the purpose of passing in transit through the United States, shall be held as a special deposit, to be refunded, in the one case, when an alien detained for examination has been excluded, and in the other, when an alien proceeding in transit through the United States has left the country. The collections so made shall no longer be held on special deposit, but shall be accounted for in the regular manner, in the case of aliens detained for examination, so soon as it shall appear that they are admitted, and, in the case of aliens entering for the purpose of transit, if, at the expiration of sixty days from time of entry, it is not shown that they have passed out of the country.

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Head tax:

Collection of, on Mexican and Canadian borders;

The head tax payable on account of aliens entering the United States from foreign contiguous territory shall be levied and collected, at Mexican border ports, according to the provisions of Rule 27 hereof, and at Canadian border ports according to the terms of an agreement between the Commissioner-General of Immigration and certain transportation companies, embodied in Rules 24 and 25 hereof.

Exemptions from—

Rule 2. *Exemptions from head tax.*—The head tax shall not be levied in respect of the following aliens:

Excluded aliens;

(*a*) Aliens who do not enter the United States because excluded from admission thereto by the Immigration Act. (Secs. 1 and 2.)

Diplomatic officers;

(*b*) Diplomatic and consular officers and other accredited officials of foreign governments, their suites, families, and guests coming to the United States to reside or to pass through in transit. (Sec. 41.)

Residents Canada, Newfoundland, Cuba, and Mexico;

(*c*) Head tax shall not be collected on account of aliens entering the United States from Canada, Newfoundland, Cuba, or Mexico whose legal domicile or bona fide residence was in one of the countries specified for at least one year immediately preceding such entrance if it merely appears that the continuity of their physical presence at their place of residence or domicile was broken by one or more transient and temporary departures therefrom; nor shall head tax be collected on account of such aliens if it merely appears that, instead of entering the United States from Canada, Newfoundland, Cuba, or Mexico directly, they come by way of some other foreign country in which they had made a merely temporary or transient sojourn.

Residents of U. S. temporarily visiting Canada, Newfoundland, Cuba, or Mexico;

(*d*) Head tax shall not be collected on account of aliens reentering the United States from Canada, Newfoundland, Cuba, or Mexico who are citizens thereof but who have acquired a legal domicile or bona fide residence in the United States, and who are returning from a visit to one of the said countries, notwithstanding that the period of a full year has not intervened between the date of their departure from and the date of their return to the United States.

Residents insular possessions;

(*e*) Aliens, otherwise admissible, who are residents of any possession of the United States, provided at the time of admission to such possession head tax was paid on their account. (Sec. 1.)

Transits;

(*f*) Aliens who enter the United States only for the purpose of transit to foreign destinations. Collections made in respect of such aliens will be held on special deposit and will be refunded pursuant to Rules 1 and 41. (Sec. 1.)

Aliens in continuous journey;

(*g*) Aliens who have been lawfully admitted to the United States and who later shall go in transit from one part of the United States to another through foreign contiguous territory. Satisfactory evidence of such previous lawful admission and of previous payment of head tax

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Head tax: Exemptions from—

shall be required in the case of aliens on whose behalf this exemption is claimed, as in paragraphs (*c*) and (*d*) of this rule. Personal knowledge on the part of an immigration officer, or a written statement from such an officer based on an examination of official records certifying to the fact of previous entry and payment of tax, will be sufficient. As evidence of the continuity of the transit, production of a dated passenger ticket, where such exists, may be required. (Sec. 1.)

At ports of Guam, Porto Rico, and Hawaii.

(*h*) Aliens arriving in Guam, Porto Rico, or Hawaii; but if any such alien, not having become a citizen of the United States, shall later arrive at any port or place of the United States on the North American Continent the provisions for the levy and collection of head tax shall apply. (Sec. 1.)

Immigrant fund: Accounting for receipts for.

Rule 3. *Accounting for head tax and other receipts.*—All moneys collected on account of head tax, as well as all moneys collected for rentals of exclusive privileges at United States immigrant stations and all moneys collected as fines for violations of the immigration laws (whether imposed by the Department or the courts), shall be deposited to the credit of the Treasurer of the United States on account of miscellaneous receipts, with an assistant treasurer of the United States, or national-bank depositary, in the same manner as other miscellaneous collections are deposited. Separate accounts of the receipts and expenditures of money under the act shall be rendered monthly to the Secretary of the Treasury through the Department of Commerce and Labor on forms to be furnished by the Government for the purpose.

RULES RELATING TO ADMISSION OR EXCLUSION.

Immigration Act: To whom applicable.

Rule 4. *Application of Immigration Act.*—The provisions of the Immigration Act apply to all aliens seeking to enter the United States, except accredited officials of foreign governments, their suites, families, and guests. The act also prescribes the conditions of their admission to or exclusion from the United States, or any waters, territory, or other place subject to the jurisdiction thereof, except the Isthmian Canal Zone. The act becomes effective when such aliens arrive from any foreign country, or other place without the jurisdiction of the United States, or from the Canal Zone. The provisions of the Immigration Act do not apply to aliens who have once been duly admitted to the United States or any waters, territory, or other place subject to the jurisdiction thereof, passing back and forth between the insular possessions and the continental territories of the United States, except aliens coming from the Canal Zone, and except Japanese or Korean laborers coming from Hawaii, with passports limited to Hawaii, Mexico, or Canada. The admission of aliens coming from the Canal Zone is governed by the regulations applicable to aliens generally;

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the admission of Japanese or Korean laborers to the continental territory of the United States is governed by the provisions of the Executive order of the President embodied in Rule 21 hereof.

Rule 5. *Examination of aliens.*—(*a*) The appropriate immigration officers shall as to each alien applying to enter the United States determine as promptly as in their estimation the circumstances permit whether or not he is clearly and beyond a doubt entitled to land. If such officers are of the opinion that he is not clearly and beyond a doubt entitled to land, he shall be held for a board of special inquiry, which shall determine his case as promptly as the circumstances permit.

Examination:

Holding for, by board;

(*b*) Where upon arrival or pending determination as to his right to land an alien is placed in hospital suffering from a disability which in the opinion of such officers renders it impracticable correctly to apply the immigration law to his case, inspection may be postponed during the pendency of such disability.

Postponing—

When necessary to place alien in hospital;

(*c*) Where in the estimation of the appropriate immigration officers the cases of members of a family are interdependent, and a member is detained in hospital from a disability of the character described in paragraph (*b*) of this rule, the determination of such cases may be postponed until the member detained in hospital has been discharged therefrom.[a]

When necessary to place a member of a family in hospital;

(*d*) In cases arising under paragraph (*c*) of this rule where the member in hospital is in no manner necessary to the support of the remaining members of the family, and he is presumably eligible to land provided he recover, such remaining members may be forthwith inspected and, if found eligible, landed upon the deposit (1) of a sum of money (or ticket covering transportation and money) sufficient to defray the expenses of conveying the detained member to final destination, and (2) if for infancy or any other cause he may require an attendant when traveling or in process of deportation, of a further sum sufficient to cover the cost of the services and transportation to and fro of such an attendant, unless satisfactory assurances are given that a proper attendant will be furnished without charge to the Government.

Circumstances and conditions under which holding entire family may be avoided;

[a] Typical instances hereof are (*a*) where the afflicted member is a minor or one otherwise dependent, requiring an accompanying alien in the event of deportation, one or the other parent being the proper person to select for such purpose, and the effect of depriving the remaining members of the family of the care of such parent would be to render some or all of them persons likely to become public charges; (*b*) where the afflicted member is the head of the family and its only bread-winner and his physical condition, due presumably to temporary causes, is such that he could not travel if either admitted or ordered deported and the cases of the remaining members of the family depend upon the disposition made of his case.

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Holding accompanying alien under section 11;

(*e*) Where, in the estimation of the appropriate immigration officials, an alien likely to be rejected as helpless under section 11 arrives accompanied by one or more aliens whose protection or guardianship he will, if rejected, require one of such accompanying aliens (preferably a relative or natural guardian) shall be detained and the determination of his case may be postponed until after that of the alien whom he accompanies.

Children under 16—

Special method of examination;

Rule 5A. *Children under 16 unaccompanied.*—All children under 16 unaccompanied by either parent, neither parent being in the United States, shall be held for special inquiry. The board shall exclude them as a matter of course unless it finds (1) that they are strong and healthy, (2) that while abroad they have not been the objects of public charity, (3) that they are going to close relatives who are able and willing to support and properly care for them, (4) that it is the intention of such relatives to send them to school until they are 16, and (5) that they will not be put at work unsuited to their years. Where the board finds these facts to exist it will so report orally or in writing to the officer in charge and defer final action until such officer has personally inspected the child. If, in his judgment, the child should be admitted, he shall so state to the board (this fact being entered of record), which may thereupon admit. Where, in the opinion of such officer, the child is not clearly admissible, the board shall exclude and give the usual notice of the right of appeal. If thereafter an appeal be filed, the case shall be forwarded with the recommendation either for (*a*) admission outright, (*b*) admission on bond, or (*c*) exclusion.[a]

Appeals:

Aliens to be clearly advised of right to;

When notice of may be rejected.

Rule 5B. *Appeals.*—(*a*) An excluded alien shall be informed that the return voyage is at the expense of the steamship company which brought him. Where an appeal lies, he shall be clearly informed of his right thereto and the fact that he has been so informed shall be entered of record in the minutes. In the discretion of the officer in charge, notice of appeal may be rejected unless given within forty-eight hours after exclusion, or if given within forty-eight hours prior to the sailing of the first vessel by which deportation may be effected where such sailing occurs not less than forty-eight hours after exclusion. The officer in charge may reject any appeal filed after an alien excluded by a board has been placed on the vessel for deportation, unless he was so placed to prevent congestion or danger of contagion under Rule 8.

[a] One of the purposes of this rule is to insure that the case of each child under 16, unaccompanied, shall receive the attention of the officer in charge and thus bring about the application of substantially uniform standards as to the admission of those cases which do not reach the Department, as well as prompt admission where admission ought obviously to occur.

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Rejections: Steamship agents to be advised of;

(*b*) The officer in charge shall as promptly as circumstances permit notify the agents of a vessel by which an alien is to be deported of this fact, giving also the cause of rejection, and, if the alien is diseased, disabled, or insane, a statement of his condition.

Form 597 to be used if alien requires special care.

(*c*) If an alien rejected as mentally or physically defective is in such condition as to require special care and attention while being deported, the officer in charge shall, when delivering such alien to the transportation company concerned, deliver also Form 597, properly filled out in accordance with Rule 37 hereof, all requirements of which rule will be observed by the company in so far as applicable here.

Appeals: When permissible;

Rule 6. *Appeals.*—Except as specified in this rule, an appeal may be taken by the alien himself or by a dissenting member of the board from any decision of a board of special inquiry which determines whether an alien shall be admitted or excluded. No appeal is permissible when the decision of the board rejecting an alien *is based upon* a certificate of the examining medical officer which shows—

When not permissible; because decision is based on medical certificate;

(*a*) That the alien is afflicted with tuberculosis or with a loathsome or dangerous contagious disease;

(*b*) That the alien is an idiot, an imbecile, an epileptic, or is insane or feeble-minded;

(*c*) That the alien has been insane within five years previously, or has had two or more attacks of insanity at any time previously;

(*d*) That the alien has any *mental* defect which in the board's opinion may affect his ability to earn a living or render him likely to become a public charge;

(*e*) That the alien has any *physical* defect which in the board's opinion may affect his ability to earn a living or render him likely to become a public charge; but aliens coming within this class may nevertheless be admitted, in the discretion of the Secretary, as provided in Rule 20 hereof.

Discretion of board of inquiry under section 10;

Boards of special inquiry in reaching decisions "based upon the certificate of the examining medical officer" are to be governed by the following considerations: It is "the decision of the board of special inquiry" which is made unappealable in certain cases by section 10, and not "the certificate of the examining medical officer." In arriving at a decision, therefore, the board is required to exercise its own discretion in determining whether or not it will "base" the same upon the certificate of the examining medical officer. Where the decision of the board is expressly "based" upon medical certificates of the character specified by section 10, no appeal is allowed by the act. But whether the board will so "base" its decision

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will naturally depend upon the circumstances of the case.[a]

Application for landing under bond and Appeals:

If the defect for which certified is *physical*, not *mental*, and, on consideration of the whole case, the board's decision is that such physical defect is one which may affect his ability to earn a living or render him likely to become a public charge, and the alien is otherwise admissible, he should be given an opportunity to make application for landing under bond in accordance with Rule 20.

If, on the other hand, the board's conclusion is that the defect is not of such a nature as to affect the ability of the alien to earn a living or render him likely to become a public charge, considering all the facts surrounding his case, and that the alien is otherwise admissible, the board should land the alien unconditionally; or, if the board's conclusion is that the alien should be rejected, not solely because of the certificate but on the basis of all the facts and circumstances, the alien should be rejected and advised of his right to appeal in the usual manner.

Distinction drawn between;

To summarize so much of the foregoing as relates to the distinction between *appeals* and applications for admission under *bond:*

When a board concludes that an alien is "liable to be excluded because likely to become a public charge or because of physical disability other than tuberculosis or a loathsome or dangerous contagious disease," and such conclusion is not based *solely upon the medical certificate, the board should render a decision, from which decision the alien has the right of appeal.*

But when the board reaches such conclusion upon the basis solely *of the medical certificate, no decision should be rendered, but the alien should be given an opportunity to apply for admission under bond in accordance with Rule 20.*

[a] For example, when the medical certificate shows that an alien is affected with tuberculosis or with a loathsome or dangerous contagious disease, or when it shows that an alien is an idiot, an imbecile, or an epileptic, or is insane or feeble-minded, the board of special inquiry is virtually forced to "base" its decision upon that certificate, the reason being that whether or not an alien is so affected is purely a matter of medical science and not such a matter as to which a board of laymen can be expected to reach an intelligent conclusion.

Where the medical certificate states that an alien is affected with any mental defect or physical defect (other than those above named), either of which defects is of a nature that might affect the ability of the alien to earn a living or make him likely to become a public charge, or when the medical certificate states that the alien has been insane within five years previously, or has had two or more attacks of insanity at any time previously, the question to be determined is a practical one quite as much as a medical one, and boards of special inquiry should not only receive and carefully consider the certificate of the medical officer, but should likewise consider all the facts and surrounding circumstances of the case, and from the case as a whole reach their own conclusion as to whether the defect is of a nature which may, considering all the circumstances of the case, affect his ability to earn a living or render him likely to become a public charge, or whether the alien has actually been afflicted in the past.

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Rule 7. *Appeals, procedure.*—Notice of appeal shall act as a stay of all proceedings until a final decision is rendered by the Secretary; and, within forty-eight hours after the filing of such notice, the complete record of the case shall be forwarded to the Commissioner-General of Immigration by the immigration officer in charge at the port of arrival, accompanied by his views thereon in writing; but on such appeal of any case to the Secretary no evidence will be considered which has not already been passed upon in said case by a board of special inquiry at the original hearing, or upon a rehearing if so ordered. (See sec. 25.) If, to prevent a miscarriage of justice, additional time is granted to the friends or counsel of an appealing alien, the said immigration officer may require the deposit of a sum of money sufficient to defray the cost of maintaining appellant during the additional time thus allowed.

Appeals:
Notice of, to act as stay of deportation;
Evidence considered on;
Granting additional time for;

Rule 8. *Appeals, procedure.*—The commissioner of immigration or the immigration officer in charge at the port of application shall enter of record the name of every alien found upon examination to be within any of the prohibited classes, with a statement of the decision in each case; and if such decision be appealed from immediately upon the receipt from the Department of its conclusions thereupon the alien shall be landed or deported in accordance with such conclusion. If a landing is refused on appeal, the master, agent, consignee, or owner of the vessel by which the said alien arrived shall be notified by the commissioner or officer in charge, and advised that the alien will be placed aboard the vessel of the line involved next sailing, for deportation. The commissioner or officer in charge at a port of entry where a detention station is located may, immediately upon exclusion, place debarred aliens on board the vessel by which they are to be deported, if in his judgment such action is necessary to prevent congestion or danger of contagion in such station. (See Rule 5.)

Making record of;
Notifying steamship of dismissal of.

Rule 9. *Medical examination.*—Officers of the United States Public Health and Marine-Hospital Service (or, if such officers are not available, civil surgeons of not less than four years' professional experience) are required by section 17 of the Immigration Act to make a physical and mental examination of all arriving aliens, and to certify for the information of immigration officers any and all physical and mental defects or diseases observed by them. Every officer of such Service detailed for this duty shall, subject to the instructions of the Surgeon-General of the Public Health and Marine-Hospital Service, be under the direction of the immigration officer in charge of the port to which he may be detailed.

Medical examination:
What surgeons to conduct;

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Medical examination:

Certificates covering, contents of—

The certificate of the medical officer shall state the physical or mental defect or disease observed, specifying the name by which it is known in common speech as well as the name by which it is known in medicine; and the certificate shall also state:

Insane within 5 years;

(*a*) Where an alien is certified as having been insane within five years previous, or as having had two or more attacks of insanity at any time previously, how the previous existence of the malady has been ascertained (sec. 2);

Contagious diseases;

(*b*) Where an alien is certified as being afflicted with a loathsome or dangerous contagious disease, that the disease named is in fact a loathsome or dangerous contagious disease, and is or is not of a quarantinable nature (secs. 2, 19);

Mental and physical defects;

(*c*) Where an alien is certified as having a mental or physical defect of a nature which may affect his ability to earn a living, or as being likely to become a public charge by reason of any mental or physical disability, the bearing of such mental or physical shortcoming upon the customary occupation of the alien and upon his general capacity for useful employment, whether such defect is of a temporary or permanent nature, and whether the deficiency of the alien has been corrected by artificial or educational means (secs. 2, 10, 26);

When hospital treatment required;

(*d*) Where an alien is certified for permission to land for medical treatment in any hospital of the United States, or where it is certified that the health or safety of an insane alien would be unduly imperiled by immediate deportation, that the alien is not suffering from tuberculosis or from a loathsome or dangerous contagious disease of a nonquarantinable nature, and the probable duration of the alien's detention in hospital, asylum, or elsewhere (sec. 19);

For helplessness;

(*e*) Where an alien is certified as being helpless from sickness, mental or physical disability, or infancy, whether such alien requires the protection or guardianship of an attendant (secs. 11, 21);

Wives and minor children;

(*f*) Where the wife or minor children of an alien who has declared his intention to become a citizen are certified as being affected with any contagious disorder, whether such disorder is a loathsome or a dangerous one, the probable length of time needed to determine whether the disorder will be easily curable, and whether they can be permitted to land without danger to other persons (sec. 37); and

Persons afflicted at time foreign embarkation.

(*g*) Where an alien is certified as being an idiot, imbecile, epileptic, or afflicted with tuberculosis or with a loathsome or dangerous contagious disease, whether the alien was so afflicted at the time of foreign embarkation, whether the existence of the disease or disability might have been detected by means of a competent medical examination at such time, how the previous condition of the alien has been ascertained, and the ground for believing

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that it might have been detected by a competent examination.

Rule 10. *Hospital treatment under section 19.*—(*a*) Where an alien has been excluded by decision of a board of special inquiry and the order for the return of the alien has been suspended, or where an alien is held, pending the determination of his case, by order of court, to await transportation, on account of his health, because his testimony is required in the prosecution of offenders against the act, or for some other cause, an application may be made, accompanied by the certificate of the medical examiner, to the Secretary of Commerce and Labor for permission to allow the landing of the alien for hospital treatment or other appropriate care or attention.

Landing for hospital treatment:

Conditions under which permissible;

(*b*) Such an application will be granted as of course where it is certified by the medical examiner that the health or safety of an insane alien would be unduly imperiled by immediate deportation, or where it is manifest to the commissioner of immigration, or the immigration officer in charge, that the condition of the alien requires immediate hospital treatment. In such cases, pending the decision of the Secretary, hospital treatment or other appropriate care or attention shall be immediately afforded.

Evidence required, in urgent cases—

(*c*) In all other cases the application will not be granted unless it clearly appears from the report of the commissioner of immigration, or the immigration officer in charge, or from other evidence accompanying the application, that such a course is necessary to meet the ends of justice and humanity.

—in other cases;

(*d*) Applications to land for medical treatment in a hospital of the United States by the "express permission" of the Secretary, made by or on behalf of aliens certified to be suffering from tuberculosis or from a loathsome or dangerous contagious disease (sec. 19), must be accompanied by a certificate of a Public Health and Marine-Hospital surgeon showing the exact character and extent of the malady with which the alien is suffering and estimating the duration of the treatment that will be required to effect a cure. The alien making the application, or the person making it in his behalf, shall deposit with the commissioner of immigration, or inspector in charge, a sum of money sufficient to cover the cost of affording the alien treatment for the period of time estimated in the above-mentioned certificate (and give satisfactory assurances that further deposit will be remitted if needed), if such estimated period does not exceed sixty days; and, in the event the estimate is for more than said time, a deposit shall be made sufficient to cover treatment for sixty days, and satisfactory assurances given that at least fifteen days prior to the expiration of said period a further deposit will be made sufficient to cover cost of treatment for thirty days additional and a remittance of a similar amount fifteen days prior to the expiration of

By "express permission" of Secretary:

Evidence required;

Landing for hospital treatment:

By "express permission" of Secretary;

Deposits required—money and transportation;

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the period covered by this deposit, and so on until the alien is cured and allowed to proceed, or the case otherwise disposed of. The said alien, or person interested in his behalf, shall also be advised that failure in any instance to comply with this requirement will result in deportation by the next sailing of the line involved. There shall also be deposited by the alien, or by the person making the application in his behalf, a sum of money (or transportation ticket and money) sufficient to defray the expense of forwarding the alien, if and when eventually cured, to his destination within the United States; and, in the event that such alien is a person who, by reason of infancy or other cause, will require the care of an attendant while traveling, such deposit shall be sufficient to also cover the expense of detailing an employee of the Immigration Service to accompany the alien to his destination, and the cost of the return of such employee to his or her station, or satisfactory assurances must be given that such an attendant will be furnished by the person making the application. The certificate above mentioned shall be forwarded to the Bureau of Immigration and Naturalization, accompanied by a report of the circumstances of the case, sufficiently detailed to enable the Department to determine whether there are present any peculiar conditions that render the exercise of its authority necessary to meet the ends of justice and humanity. Such reports shall also show whether the deposits and assurances hereinbefore mentioned have been made and given, describing the character of the assurances. If the application is granted by the Department the alien will be permitted to enter a hospital for treatment. Should such treatment extend over a period exceeding sixty days and the deposit to cover any succeeding thirty-day period not be promptly forthcoming as above required, the fact of such failure shall be immediately reported to the Department in order that instructions for the deportation of the alien may issue. When any alien so detained is cured and allowed to proceed to destination, such amount as remains unexpended of the deposit or deposits made on his account shall be returned to the depositor and his receipt taken therefor.

Procedure regarding alien and deposits;

Not admission.

(*e*) The landing or detention of an alien for the purpose contemplated by this rule shall not be construed in any manner to alter the status of the alien with reference to his right to enter or remain in the United States. (Sec. 19.)

Wives and children of domiciled aliens:

Landing of, for treatment;

Rule 11. *Hospital treatment under section 37.*—Where, upon the arrival of the wife or minor child or children sent for by an alien who has declared his intention to become a citizen, or of the minor child or children of a naturalized citizen, born abroad prior to his naturalization, such wife, child, or children are found to be afflicted with a contagious disorder and it can not be immediately determined whether the disorder will be easily curable,

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they shall be held until a determination can be had, and an application may be made, accompanied by the certificate of the medical examiner, to the Secretary of Commerce and Labor for permission to allow the landing of such wife or child for hospital treatment or other appropriate care or attention. In such cases, where necessary, pending the decision of the Secretary, hospital treatment or other appropriate care or attention shall be immediately afforded. This application or the accompanying papers must clearly show that the husband or father has actually taken up his permanent residence in this country and has actually filed his declaration of intention to become a citizen of the United States, or has actually been naturalized, and that he is in fact the husband or father of the alien in question. Nothing contained herein shall be taken as in any manner affecting the liability of transportation companies under section 9, or as altering the status of the aliens concerned with reference to their admission or exclusion. (See Rules 5 and 10.)

Wives and children of domiciled aliens:

Evidence required.

Rule 12.[a]

Rule 13. *Detention expenses.*—(*a*) The appropriate immigration officers may conduct the inspection of aliens (including medical examination and examination before boards of inquiry), and detain them or order them detained pending determination of their right to land and after exclusion, either on the vessel or at any other place to which they may be temporarily removed by the direction or with the consent of such immigration officers. Whenever a temporary removal of aliens is made to a building existing for their detention and examination, or to any hospital, or elsewhere, such removal shall not be regarded in any sense as a landing, and the steamship company concerned shall pay all expenses incident to or involved in such removal and detention (excepting only where removal or detention occurs under the terms of any of the provisos of section 19 or of section 37), irrespective of whether the aliens removed or detained are subsequently admitted or deported; such expenses to include those of maintenance, treatment, and care in hospital, medical treatment elsewhere, burial in the event of death, and transfer to the vessel in the event of deportation. Where aliens are fed under an exclusive privilege (section 30), the expenses of maintenance shall be deemed the charges at which the privilege holder agrees to furnish them food, except that the cost of any special food found by the surgeon to be required by an alien in feeble health (but not detained in hospital) may be an additional expense of maintenance. At ports where the Immigration Service maintains hospitals the hospital expenses shall be such as are fixed by the Commissioner-General of Immi-

Detention expenses:

Aliens to be detained either on vessel or in a station;

Removal to station not a "landing," and steamships responsible for all expenses;

How charges are fixed;

[a] The old rule of this number has been amended and combined with Rule 5.

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Detention expenses.

gration, and at other hospitals they shall be such as are fixed by the authorities thereof.

Of an accompanying alien;

(*b*) If in the judgment of the officer in charge, based upon the expressed opinion of a surgeon, it is necessary for the proper care of an alien removed to hospital or as a measure of humanity to place with him there an attendant or accompanying alien, the cost of the latter's detention in hospital must be borne in the same manner as is the cost of treating the disabled alien.

Steamships may be required to obligate themselves for payment of;

(*c*) Immigration officers are under no obligation to order the removal of aliens from a vessel for inspection or hospital treatment until the steamship companies have obligated themselves in a manner satisfactory to such officers for the payment of the expenses hereinbefore referred to, and at their option they may require payment in advance, or security, for each and every one thereof; and for failure on the part of a steamship company at any time during the course of detention to pay such expenses, the aliens may be returned to the vessel.

If not paid aliens may be returned to vessel;

When to be borne by Government—

(*d*) Detention expenses shall be borne by the Government in cases of (1) aliens held as witnesses under section 19 and (2) insane aliens whose health or safety would be unduly imperiled by immediate deportation (section 19).

—by the alien;

They shall be borne by the alien always where he is treated by "express permission" of the Secretary under section 19 (Op. Compt. Jan. 15, 1908); and preferably

—by either Government or alien;

by the alien, but by the immigration appropriation under special authority (1) where it is necessary to hold the alien *after admission* in accordance with Rule 15, and (2) in the cases of wives and minor children of aliens who have filed their declaration of intention to become citizens, and of minor children of naturalized citizens born abroad prior to the naturalization of the parent, where such cases are covered by section 37 (Op. Compt. Jan. 15, 1908; see also Rule 11).

Presenting bills for.

(*e*) Bills pertaining to any of the expenses in this rule mentioned shall be presented to the steamship companies responsible monthly, or oftener at the option of the officer in charge. Where such expenses are not in respect of services rendered by privilege holders, private hospitals or other third parties, the officer in charge may require the bills covering the same to be first submitted to him for approval.

Witnesses:

Rule 14. *Holding aliens as witnesses under section 19.*—

Holding aliens to act as.

In recommending that an alien be held to testify against persons violating the immigration act, detailed reasons for the recommendation should be given. If deportation is thereupon stayed by the Department, the case must be promptly reported to the United States attorney with request that, if he decides to institute proceedings, arrangements be at once made either to take the deposition of the alien or to secure an order from the court for his detention as a witness, as the nature of the proceed-

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ings may require.[a] If the United States attorney decides not to prosecute, or the alien's testimony is taken by deposition, or it is not possible to promptly secure an order of court for the holding of the alien, such fact shall be reported to the Department, so that an order of deportation may issue without delay.

Assisting and protecting aliens: Providing means in case of accident.

Rule 15. *Assistance to admitted aliens.*—Any alien who has been admitted may be permitted to wait for friends or remittances upon payment by him of the actual expenses incurred by reason of such delay. In case such an alien is unable, from accident or other unavoidable circumstances, to immediately continue his journey, and is without sufficient means to defray the expense of his enforced delay, the commissioner of immigration may, in his discretion, pay said expense, reporting said case to the Bureau of Immigration and Naturalization, with reasons for his action, and request that such expense be repaid out of the "appropriation for the enforcement of the immigration act."

Rule 16.[b]

Members of boards of special inquiry: Oath to be taken by.

Rule 17. *Oath, board of special inquiry.*—Any immigration or other government officer appointed to serve on a board of special inquiry under the provisions of section 25 of the Act approved February 20, 1907, shall be required to subscribe to the following oath:

FORM 566. DEPARTMENT OF COMMERCE AND LABOR,
IMMIGRATION SERVICE.

I, ..., having been designated by to serve as a member of a board of special inquiry, under the provisions of section 25 of the act of Congress approved February 20, 1907, do solemnly that I will use my best endeavors as a member of such board to enforce the laws of the United States relating to the admission or exclusion of certain classes of aliens, and that I will well and faithfully discharge the duties of the office mentioned.

.....

..... and subscribed before me this day of, A. D. 19...

[Official seal.]

Attorneys: Fees to be charged by;

Rule 18. *Appearance of attorneys.*—Attorneys and persons appearing in behalf of detained aliens shall not be permitted to charge a sum exceeding ten dollars in each case unless the commissioner or officer in charge shall, in writing, allow an additional compensation. A family or party of aliens traveling together shall be regarded as constituting a "case" within the meaning hereof. If for any special reason an attorney deems himself entitled to

[a] One of the reasons for this requirement is a desire to avoid the hardship that would result from holding the alien after exclusion has been determined upon without some arrangement being effected whereby he may receive witness fees. Such fees can not be granted by the Department, but under certain conditions are allowed by a court.

[b] The old rule of this number has been amended and combined with Rule 13.

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Attorneys:

a larger fee, or if it is actually necessary for such attorney to incur expense in an alien's behalf, he shall report such facts to the commissioner or officer in charge when applying for the privilege of charging an additional fee or claiming reimbursement for expenses, and, if permission is granted, shall collect such additional fee or expenses only through the commissioner or officer in charge. Anyone charging an alien a fee prior to his detention, or charging or receiving from an alien or his relatives or friends a fee, gift, or compensation for his services in excess of the above rate, except in the manner provided, or who shall deprive an alien of any part of his chattels or effects in lieu of, or as security for, said fee, will, upon reasonable proof of such misconduct, and after having been allowed a fair opportunity to answer the charge, be disbarred by the Department (to which a full report of the matter shall be made) from practicing at any immigration station of the United States. The names and addresses of attorneys or other persons so disbarred shall be conspicuously posted at the immigration station where the misconduct occurred and their names recorded in the office of the Commissioner-General of Immigration.

Method of disbarring for misconduct;

Keeping record of.

Notice of sailings:

Masters of vessels to give.

Rule 19. *Notice of sailings.*—The master, agent, owner, or consignee of any vessel on which aliens are brought to the United States shall, at least twenty-four hours in advance thereof, notify the commissioner of immigration or officer in charge of the intended time of sailing of such vessel, in order that such officer may place on board the vessel every alien brought thereon who has been finally refused a landing.

Admissions under bond:

Cases in which permissible;

Rule 20. *Admissions under bond.*—If, in following the provisions of Rule 6 hereof relating to appeals, *the board of special inquiry reaches the conclusion* that an alien in whose case a medical certificate for some *physical* defect, other than tuberculosis or a loathsome or dangerous contagious disease, has been rendered *is* excludable solely because such certified physical defect is, in the board's opinion, "of a nature which may affect the ability of such alien to earn a living," or render him liable to become a public charge, but that such alien is otherwise admissible, and, after notice of his right to do so, the alien signifies (within the time specified by Rule 5 hereof) an intention to apply for admission under bond, the board shall not enter an excluding decision against the alien as in other cases, but shall make a special finding of fact in the premises and report the same, including the certificate of the medical examiner, to the immigration officer in charge, who shall forward the report, together with his recommendation, to the Secretary of Commerce and Labor, through the Commissioner-General of Immigration. (See secs. 10 and 26 and Rule 6.)

Procedure for;

Amount of bond;

If, in the exercise of the discretion conferred by law, the Secretary decides to admit the alien, a bond will be

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required in an amount which in no case shall be less than five hundred dollars. The sureties thereto shall be parties of known and ascertained responsibility and approved by the commissioner of immigration or immigration officer in charge. The bond shall be executed in duplicate on forms supplied by the Bureau, but shall not be accepted until landing of the alien under bond is authorized by the Department.

Admissions under bond:

Sureties on bond;

Bond to be in duplicate;

If, within a reasonable time, not to exceed thirty days, after the receipt of the Department's authority for the landing of an alien under bond, there is not forthcoming bond with acceptable sureties, that fact, and all others that may have a bearing upon the matter, shall be reported to the Department, with request for instructions; and if in any such case the former decision of the Department is reversed, the alien shall then be formally rejected by the board.

Procedure if bond not forthcoming.

Rule 21. *Japanese and Korean laborers.*—The following rule is promulgated for the purpose of giving effect to an executive order of the President issued on March 14, 1907, reading:

Japanese and Korean laborers:

Whereas, by the act entitled "An act to regulate the immigration of aliens into the United States," approved February 20, 1907, whenever the President is satisfied that passports issued by any foreign government to its citizens to go to any country other than the United States or to any insular possession of the United States or to the Canal Zone, are being used for the purpose of enabling the holders to come to the continental territory of the United States to the detriment of labor conditions therein, it is made the duty of the President to refuse to permit such citizens of the country issuing such passports to enter the continental territory of the United States from such country or from such insular possession or from the Canal Zone;

President's proclamation concerning;

And Whereas, upon sufficient evidence produced before me by the Department of Commerce and Labor, I am satisfied that passports issued by the Government of Japan to citizens of that country or Korea and who are laborers, skilled or unskilled, to go to Mexico, to Canada and to Hawaii, are being used for the purpose of enabling the holders thereof to come to the continental territory of the United States to the detriment of labor conditions therein;

I hereby order that such citizens of Japan or Korea, to wit: Japanese or Korean laborers, skilled and unskilled, who have received passports to go to Mexico, Canada or Hawaii, and come therefrom, be refused permission to enter the continental territory of the United States.

It is further ordered that the Secretary of Commerce and Labor be, and he hereby is, directed to take, through the Bureau of Immigration and Naturalization, such measures and to make and enforce such rules and regulations as may be necessary to carry this order into effect.

(*a*) Aliens from Japan and Korea are subject to the general immigration laws.

Subject to general immigration laws;

(*b*) Every Japanese or Korean laborer, skilled or unskilled, applying for admission at a seaport or at a land-border port of the United States and having in his possession a passport issued by the Government of Japan, entitling him to proceed only to Mexico, Canada, or Hawaii, shall be refused admission.

Limited passports held by:

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Japanese and Korean laborers: Presumptions concerning;

(c) If a Japanese or Korean laborer applies for admission and presents no passport, it shall be presumed (1) that he did not possess when he departed from Japan or Korea a passport entitling him to come to the United States, and (2) that he did possess at that time a passport limited to Mexico, Canada, or Hawaii.

Passports to U. S. or unlimited;

(d) If a Japanese or Korean alien applies for admission and presents a passport entitling him to enter the United States or one which is not limited to Mexico, Canada, or Hawaii, he shall be admitted, if it appears that he does not belong to any of the classes of aliens excluded by the general immigration laws.

Evidence as to status of;

(e) If a Japanese or Korean alien applies for admission and presents a passport limited to Mexico, Canada, or Hawaii, and claims that he is not a laborer, either skilled or unskilled, reasonable proof of this claim shall be required in order to permit him to enter the United States.

Appeal by;

(f) When a Japanese or Korean alien is rejected as being a skilled or unskilled laborer holding a passport limited to Mexico, Canada, or Hawaii, he shall be allowed the right of appeal to the Secretary of Commerce and Labor under the same conditions as attach to aliens rejected under the general immigration laws.

Arrest of; Deportation of;

(g) If a Japanese or Korean skilled or unskilled laborer is found in the continental territory of the United States without having been duly admitted upon inspection, the procedure employed under the general immigration laws for the arrest and hearing of aliens who have entered the United States surreptitiously shall be observed, to the end that the right of such alien to be and remain in the United States may be determined; and if it shall appear that such alien falls within the class excluded by the foregoing Executive order, and has entered the United States since the 14th of March, 1907, the said alien shall be deported according to the provisions of sections 20, 21, and 35 of the act of Congress approved February 20, 1907.

Right of, to communicate with diplomatic officers;

(h) In case any Japanese or Korean is detained or denied admission by virtue of the foregoing Executive order, he shall, in addition to being informed of his right of appeal to the Secretary of Commerce and Labor, be advised that he may communicate by telegraph or otherwise with any diplomatic or consular officer of his Government, and shall be afforded opportunities for so doing.

Courtesy and consideration due to;

(i) The officials of the Department charged with the enforcement of the immigration laws are instructed that in the execution of this rule scrupulous care shall be taken to see that the courtesy and consideration which the Department requires in the case of all foreigners, of whatever nationality, are shown to those affected by this rule. All officers of this Department are hereby warned that no discrimination will be tolerated, and that those coming under this rule must be shown every

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courtesy and consideration to which the citizens of most-favored nations are entitled when they come to the United States. Japanese and Korean laborers:

(*j*) For practical, administrative purposes, the term "laborer, skilled and unskilled," within the meaning of the Executive order of March 14, 1907, shall be taken to refer primarily to persons whose work is essentially physical, or, at least, manual, as farm laborers, street laborers, factory hands, contractors' men, stable men, freight handlers, stevedores, miners, and the like; and to persons whose work is less physical, but still manual, and who may be highly skilled, as carpenters, stone masons, tile setters, painters, blacksmiths, mechanics, tailors, printers, and the like; but shall not be taken to refer to persons whose work is neither distinctively manual nor mechanical, but rather professional, artistic, mercantile, or clerical, as pharmacists, draftsmen, photographers, designers, salesmen, bookkeepers, stenographers, copyists, and the like. The foregoing definition is subject to change, and will not preclude the Secretary of Commerce and Labor from deciding each individual case which comes to him by way of appeal in accordance with the particular facts and circumstances thereof. Definition of term "laborer, skilled and unskilled;"

(*k*) Passports presented by Japanese and Koreans shall be plainly indorsed, in indelible ink, by the officer admitting or rejecting the applicant, in such a manner as to show the fact and date of admission or rejection, the name of the officer being signed to such indorsement; after which the passport shall be returned to the person by whom presented. Indorsement of passports.

Rule 22. In consideration of the necessities of commerce and navigation, it has been held that foreign seamen arriving at the ports of the United States, and landing therein in the pursuit of their calling, are not ordinarily within the operation of the immigration act (23 Op. Atty. Gen., 521; 207 U. S., 120). But in order that this exemption shall not avail to permit the introduction into the United States of aliens excluded therefrom by the said act, it is necessary to observe the following distinctions between foreigners who are seamen and other aliens: Seamen: Why examination of necessary;

A seaman is any person employed to serve in any capacity on board any vessel plying between foreign ports and ports of the United States, whose occupation consists in following the sea, and who lands in the United States with no intention of remaining, and not otherwise than on shore leave, or on the business of his vessel, or for the purpose of reshipping. Who are seamen;

Aliens, members of the crew of vessels engaged in the coastwise trade of the United States, are aliens within the meaning of the immigration act and subject to its provisions (Ops. Solr., June 14, 1907, and Sept. 16, 1907). In coastwise trade;

Aliens, though members of the crew of vessels engaged in the foreign trade, if their employment terminates at Discharged;

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Seamen: the end of the voyage to the United States, or if discharged in a port of the United States, are to be treated as seamen only if it appears that they intend to reship on a vessel bound to a foreign port, or to depart from the country within a reasonable time.

Deserting; Aliens, though members of the crew of vessels engaged in the foreign trade, if they desert their ship, shall, until the contrary is shown, be deemed to have abandoned their calling, and to be no longer seamen, within the meaning of this rule.

Found in United States otherwise engaged; Aliens, though landing in the United States as seamen, if found thereafter engaged in any occupation not connected with the business of a vessel to which they are attached, or if found to be public charges, shall be treated as other aliens are treated, and shall be liable to deportation in like manner and for like causes.

Application of act to; In the application of the immigration act to aliens, members of the crew of vessels engaged in the foreign trade of the United States, the following instructions will be observed:

General procedure regarding—

To what extent examined; (*a*) Aliens coming to the United States as members of the crew of any vessel, who are found to be seamen as herein defined, shall not be examined by officers of the Immigration Service further than may be necessary to determine their status as seamen, and to ascertain that they are not insane, idiots, imbeciles, epileptics, or persons afflicted with tuberculosis or with a loathsome or dangerous contagious disease; head tax shall not be certified on their account; they shall not be prevented from landing temporarily in the United States, nor required to land at any designated time or place; neither shall any manifest of them be required, nor shall they necessarily be returned to the country whence they came by the vessels bringing them. Alien seamen, however, who are insane, idiots, imbeciles, epileptics, or persons afflicted with tuberculosis or with a loathsome or dangerous contagious disease, and the existence of whose disease or disability might have been detected by means of a competent medical examination at the time of foreign embarkation, are persons whose employment on board vessels is in nowise necessary to commerce and navigation, and who are, accordingly, not within the exception in favor of seamen, because not within the reason thereof. The bringing of such seamen to the United States, therefore, is unlawful by the terms of section 9.[a]

If mentally or physically afflicted, not considered *bona fide;*

All seamen to be primarily inspected; (*b*) All aliens coming to the United States as members of the crew of a vessel, who, for any of the reasons hereinbefore mentioned, are found not to be seamen as herein defined, shall in no respect be distinguished, by reason of their present employment, from other aliens seeking admission into the United States; but it shall be the duty of the inspectors and medical officers detailed for the

[a] For manner of assessing fine in such cases, see paragraph (*g*), Rule 28.

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purpose to determine whether such aliens are clearly and beyond doubt entitled to land, and to hold for examination by a board of special inquiry such as are not so entitled, and to follow the same procedure as in the case of alien passengers seeking to land, including the certification of head tax on account of those landed.

Seamen: *General procedure regarding—*

(*c*) In case any alien employee of a vessel is found by the immigration officials not to be a *bona fide* seaman seeking to land in the pursuit of his calling, and is declared by such officials inadmissible under the immigration act, the master, owner, agent, or consignee of such vessel will be required, subject to the penalties imposed by said act, to prevent the landing of such inadmissible alien and to return him to the country whence he came.

If not *bona fide*, must not be landed;

(*d*) Head tax shall not be assessed on account of *bona fide* seamen landing in the pursuit of their calling. On account of such as are discharged with the intent to remain in the United States, and on account of those who are found or shown to have deserted and remained in the United States, the head tax shall be assessed.

Head tax not assessable on if *bona fide;*

(*e*) Of such aliens employed on board vessels as are found by the immigration officials not to be *bona fide* seamen, or not to be seeking to land in the regular course of their pursuit with intent to continue their calling, the immigration officials shall prepare lists, in lieu of manifests, for use in compiling statistics, indicating in such lists that the alien applicants therein enumerated arrived at the port as employees of a vessel.

Manifests of not *bona fide;*

(*f*) If, upon the arrival of a vessel from a foreign port, it is discovered that any alien member of the crew of such vessel is ill or disabled to such an extent as to make it obligatory upon the master of the vessel, under the navigation laws of the country to which the vessel belongs, to return the seaman to the country where he embarked, immigration officials shall confer with the master and with the consular representative of the country to which the vessel belongs, with the object of perfecting plans by which the master may be able to observe the laws of his own country without making possible or encouraging a violation of the immigration laws of the United States. If the disabled seaman relinquishes his calling, he shall be treated like any other alien seeking admission to the United States; and if, upon being brought before a board of special inquiry, his rejection is ordered the master of the vessel shall be required to return him by such vessel, or at his own expense, to the country where he embarked. If the seaman does not relinquish his calling, or if the master desires to return him otherwise than by the vessel on which he arrived, it will be permissible for him to pass through the United States, in transit to the country where he embarked, by the most expeditious and direct route: *Provided*, That (if he is suffering with a loathsome or dangerous contagious

Procedure if ill and law of vessel's country requires return home;

Care to be exercised concerning, when ill and allowed transit;

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Seamen:
General procedure regarding—

disease, or with tuberculosis, or is in such physical or mental condition as to render him a person likely to become a public charge or otherwise inadmissible) arrangements are made for his proper care while passing through the country, and a sum of money sufficient to defray the expenses thereof is furnished by the master of the vessel. This being a provision made in the interest of trade, and because of the peculiar position occupied by seamen under principles of international comity, immigration officials shall exercise care to insure a thorough understanding with all parties concerned, that violations of the immigration laws may be provided against, and that the spirit of foreign laws may be observed.

Special procedure concerning, to be followed in lieu of general procedure if agreed to by vessel—

(*g*) With a view to the more efficient enforcement of the immigration law with respect to foreign crews, and for the greater convenience both of officers of the Immigration Service and of the commercial interests involved, the following special procedure will be observed in cases where the master, agent, owner, or consignee of any vessel engaged in the foreign trade of the United States shall give satisfactory assurances of ability and willingness to comply with the conditions thereof:

Mental and physical examination of, at foreign ports;

1. The master, owner, agent, or consignee of any such vessel shall enforce at its foreign ports of departure and call a rigid medical examination of aliens seeking employment on such vessel which will insure the rejection of any and all applicants suffering with any mental or physical affliction which would make them inadmissible to the United States under section 2, or would render the vessel liable to the fine mentioned in section 9 of the immigration act. Any failure on the part of any vessel to enforce such a medical examination in the case of any member of the crew, coming to the knowledge of an officer of the Immigration Service, shall be promptly reported to the Department for appropriate action.

Report of prospective discharge of, in United States ports;

2. In any case in which an alien seaman is not employed or articled for the return trip voyage to and away from the United States, and in any case in which it becomes necessary for any reason to discharge an alien member of a crew, the master, owner, agent, or consignee of the vessel shall notify the commissioner of immigration or the immigrant inspector in charge at the port of such necessity in due season to permit the inspection and examination of such alien under the provisions of the immigration act.

Regulation of shore leave, and reporting suspicious cases of;

3. Masters, owners, agents, and consignees of such vessels shall enforce in the ports of the United States regulations on the subject of shore leave which will prevent as far as possible the permanent landing of alien members of the crew before inspection by the immigration authorities. They shall, also, furnish the immigration authorities with the names of aliens employed on their vessels of the *bona fides* of whose intention to follow the sea they have any reason to doubt, and shall afford

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opportunity for the inspection of such aliens; and, except by express permission of the Immigration Service, they shall under no condition grant shore leave or permit the landing of alien seamen who are insane, idiots, imbeciles, epileptics, or persons afflicted with tuberculosis or with a loathsome or dangerous contagious disease.

Seamen:
Special procedure concerning, to be followed in lieu of general procedure if agreed to by vessel—

4. When desertions occur, the master, agent, owner, or consignee of the vessel shall promptly notify the local immigration authorities of the name and description of the deserter, and any other information obtainable which would aid in the apprehension of such deserter, to the end that he may be returned to the vessel for conveyance to the foreign port of shipment.

Reporting desertions of, and apprehending deserters;

Where the foregoing conditions have been faithfully complied with, and satisfactory evidence thereof has been presented, of the sufficiency of which the Secretary of Commerce and Labor shall be the sole judge, the master, agent, owner, or consignee will be deemed to have provided a "competent medical examination" of the vessel's crew at the time of foreign embarkation within the meaning of section 9, and will be deemed to have taken reasonable precautions to prevent the landing of alien members of the crew within the meaning of section 18; and the special procedure prescribed in the several articles of this paragraph (*g*) will be followed.

Presumptions in favor of vessels under special procedure.

Rule 23. *Stowaways.*—The Immigration Act contains no provision expressly relating to stowaways. Such persons must be dealt with, therefore, if they seek admission to the United States, precisely as other aliens are dealt with.

Stowaways:
To be treated like other aliens.

Alien stowaways must be reported and manifested by the masters of vessels, immediately upon arrival at a port of the United States, in the same manner as other aliens: *Provided, however,* That the name of every such person shall be followed by the word "stowaway." Head tax shall be certified on their account, and they shall be examined under the Immigration Act touching their right to enter the United States.

Rule 24. *Ports of entry, Canada.*—In accordance with section 36, the following are named as Canadian border ports of entry for aliens; and any alien who enters the United States across such border at any other point shall be deemed to have entered the country unlawfully, and shall be arrested and deported under sections 20, 21, and 35 of said act, in the manner provided by Rule 34 hereof: Eastport, Calais, Vanceboro, Fort Kent, Fort Fairfield, Van Buren, Houlton, Madawaska, and Lowelltown, Me.; Beechers Falls, N. H.; Island Pond, Newport, Richford, St. Albans, Swanton, and Alburg, Vt.; Rouses Point, Malone, Fort Covington, Nyando, Ogdensburg, Morristown, Clayton, Cape Vincent, Charlotte, Olcott, Lewiston, Niagara Falls, and Buffalo, N. Y.; Cleveland and Toledo, Ohio; Detroit, St. Clair, Port Huron, and Sault Ste. Marie, Mich.; Chicago, Ill.; Duluth, Ranier, Interna-

Ports of entry, Canada:
List of.

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tional Falls, Warroad, Beaudette, and Noyes, Minn.; Hannah, Pembina, Neche, Walhalla, Portal, and St. John, N. Dak.; Sweet Grass and Gateway, Mont.; Porthill and Eastport, Idaho; Marcus, Oroville, Sumas, and Blaine, Wash.

Canadian agreement: Admission under;

Rule 25. *Admission and exclusion, Canadian ports.*—In view of the agreement between the various steamship and railroad companies in the Dominion of Canada and the Commissioner-General of Immigration of the United States of America, inspection and entry of aliens into the United States from foreign countries, through Canadian territory, under the Immigration Act, will be accomplished in accordance with the following provisions:

Seaports of inspection;

(*a*) All aliens arriving in Canada, destined to the United States, shall be inspected at any one of the following ports: Halifax, Nova Scotia; Quebec and Point Levi, Quebec; St. John, New Brunswick; and Vancouver and Victoria, British Columbia; and the holders of certificates, duly signed by the United States commissioner of immigration for Canada, shall be entitled to admittance to the United States, at any one of the places of entry along the border thereof named in Rule 24, without further examination by the United States immigration officers as to their right to enter, upon their identification and their surrender of said certificates to such officials.

Certificates of admission;

(*b*) The said certificate shall be in the following form:

Alien certificate. No.....

Form of;

FORM 524. DEPARTMENT OF COMMERCE AND LABOR,
IMMIGRATION SERVICE,
....., ...

This is to certify that....., a native of, who arrived at the port of..... per steamship "....," on the, 19.., has been duly inspected and registered, and will be admitted into the United States upon proper identification and surrender of this certificate to any immigration officer at the frontier.

The description of the holder is as follows: Age, ...; height, ...; weight, ...; color of hair, ...; color of eyes, ...

Remarks: [Note destination, etc.].....
.....
.....
.....,
U. S. Commissioner of Immigration.

Surrendered at, to Inspector, 19...

Seaport examination by inspectors and boards;

(*c*) The examination at Canadian ports of all aliens destined to the United States shall be similar in all respects to that conducted at ports of the United States. Such aliens as, in the opinion of the examining inspector, are not clearly entitled to admission shall be taken before a board of special inquiry, the decision of which shall be final, unless reversed upon appeal, as provided for in section 25.

Deportation of rejected aliens;

(*d*) All aliens arriving at Canadian seaports, destined to the United States and who may be adjudged inadmis-

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sible thereto, shall be refused the certificates herein called for, and the steamship company bringing such aliens to such Canadian seaport shall be required to return them to the countries from which they respectively came. Canadian agreement;

(*e*) The masters, owners, or agents of vessels bringing aliens to Canadian ports, destined to the United States, shall be required to furnish to the United States immigrant inspectors in charge at such ports complete manifests and alphabetical books of all alien passengers arriving upon vessels of their respective lines, and, in addition thereto, complete manifests of all alien passengers destined to the United States such as are now required by law in the cases of vessels bringing aliens to the ports of the United States; and the said masters, owners, or agents shall pay to the United States commissioner of immigration for Canada the sum of four dollars for each and every alien brought to a Canadian port and destined to the United States: *Provided*, That no head tax shall be levied against or collected from Canadian steamship lines on aliens brought to Canada, destined to the United States, who are shown to belong to any one of the excluded classes and who are returned to the country whence they came. In addition to the foregoing, the Canadian steamship companies will furnish to the United States commissioner of immigration for Canada (for transmission to the Commissioner-General of Immigration) manifests of all passengers not citizens of the United States leaving the United States and proceeding by the vessels of such companies to foreign ports, as required in the cases of United States transportation companies by section 12. Manifests of incoming passengers; Payment of head tax; Manifests of outgoing passengers;

(*f*) All aliens of the class upon whom head tax is chargeable not provided with certificates of the character described in paragraph (*a*) hereof who shall apply at the border between Canada and the United States within one year after arriving at a Canadian port shall be required to return to such port, or to any one of the ports designated in paragraphs (*a*) and (*f*) hereof, for guaranty of payment of head tax, examination, and the procurement of the certificate described in paragraph (*a*): *Provided*, That any alien, whether of a class upon whom head tax is chargeable or otherwise, who desires to enter the United States from the Dominion of Canada, may be required by any immigrant inspector having a doubt as to alien's admissibility, to appear for examination before a board of special inquiry located at any of the following points: Halifax and Yarmouth, Nova Scotia; Calais and Houlton, Me.; St. John, New Brunswick; Quebec and Montreal, Quebec; Newport, Vt.; Buffalo, Niagara Falls, and Lewiston, N. Y.; Cleveland and Toledo, Ohio; Detroit, Port Huron, and Sault Ste. Marie, Mich.; Chicago, Ill.; Duluth and International Falls, Minn.; Winnipeg, Mani- Certificates of admission; Appearance before board required; Location of boards;

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Canadian agreement:

toba; Portal, N. Dak.; Sweet Grass and Gateway, Mont.; Eastport, Idaho; Marcus, Sumas, and Blaine, Wash.; and Vancouver and Victoria, British Columbia. That the decisions of the said boards of special inquiry shall have the same force and effect as decisions rendered by boards of special inquiry at seaports of the United States.

Transoceanic deportation when required;

That the various steamship lines shall return at their own expense, from some seaport of the Dominion of Canada or of the United States, as they may deem most practicable and may elect, to the trans-Atlantic or trans-Pacific country whence the aliens came, those aliens coming within the provisions of this paragraph who are shown to belong to any of the excluded classes mentioned in section 2, whenever in the judgment of the Secretary of Commerce and Labor the deportation of such aliens in the manner described is deemed necessary to safeguard the interests of the United States.

Facilities at seaports;

(*g*) All facilities in the way of accommodations, access to aliens, and the keeping of aliens apart from the public until after inspection shall be afforded to the immigrant inspectors of the United States at the Canadian ports of landing to enable them to make such inspection as is required by the laws of the United States.

Certificates of admission;

(*h*) It is expected that the railway and other transportation companies in the Dominion of Canada will not sell to any aliens en route to any part of the United States tickets for their transportation, or transport them in cars

Prerequisite to transportation;

or vessels from the port of entry, until after they have exhibited their certificates as herein provided, and will not knowingly transport into the United States any rejected or undesirable aliens or those who are by law prohibited from entering said country, but will return the

Returning aliens not holding certificates of admission;

rejected aliens to the ports at which they arrived. All aliens on account of whom the transportation companies are exempted from payment of head tax, who proceed to the border between the Uinited States and Canada without having first been examined and granted a certificate of admission of the character described in paragraph (*a*) hereof, and who may be excluded by a border board of special inquiry, shall be returned by the transportation company carrying said aliens to the border a

Examination before boards;

reasonable distance in Canada from said border. Aliens of the class last above mentioned carried to a border point where there is no board of special inquiry shall be returned and conveyed for examination to the nearest point at which a board of special inquiry is located.

Deportation of excluded and deportable classes;

(*i*) The various steamship lines, parties to the Canadian agreement, shall return at their own expense, at any time within three years from the date of landing in Canada, from some Canadian port, or when that is not practicable from some port of the United States, such aliens as, having been brought into the Dominion of Canada upon their respective lines and having subse-

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quently proceeded to the United States, are shown to belong to any one of the excluded or deportable classes mentioned in the act of Congress approved February 20, 1907, whenever deportation of such an alien is ordered by the Secretary of Commerce and Labor. Canadian agreement:

(*j*) The immigration regulations adopted by the Department of Commerce and Labor relating to the examination of aliens at ports of the United States shall apply, in so far as may be practicable, to the inspection of aliens coming through the Dominion of Canada destined to the United States. Application of regulations to aliens coming through Canada;

(*k*) All aliens of the taxable class seeking to enter the United States from Canada or Newfoundland shall be denied examination under the United States immigration laws (except to a sufficient extent to determine their liability for head tax) until they present to the examining officer or officers a certificate from a duly appointed agent of the transportation company bringing such aliens to the border, guaranteeing that responsibility for the payment of head tax on account of such aliens will be assumed by said transportation company, certificate guaranteeing payment of head tax being returnable to the applicant for admission in the event of his exclusion, such certificate before its return to the alien to have the word "Rejected" stamped or written in red ink across its face. Guaranteeing payment of head tax; Returning head-tax certificate;

(*l*) All moneys collected as provided in paragraph (*e*) hereof shall be transmitted by the United States commissioner of immigration for Canada to an assistant treasurer of the United States in the same manner as other miscellaneous collections are reported by collectors of customs of the United States, to be deposited to the credit of the Treasurer of the United States on account of the "immigrant fund." Statement of such receipts, under this agreement, must be rendered monthly to the Secretary of Commerce and Labor, on forms provided for that purpose. Disposition of head tax collected in Canada;

(*m*) Said United States commissioner of immigration for Canada shall give bond to the United States in the sum of ten thousand dollars, with sureties approved by the Secretary of Commerce and Labor, conditioned for the faithful discharge of his duties and the remittance of above collections. He shall make monthly reports to the Commissioner-General of Immigration, upon blanks to be furnished by the Department of Commerce and Labor, of all aliens arriving at stations under the jurisdiction of the said commissioner of immigration. Commissioner bonded;

(*n*) United States officers charged with the execution of the immigration laws and regulations along the Canadian border will, at the end of each month and from time to time as may be required, report in writing to the United States commissioner of immigration for Canada, upon blanks to be prescribed by him, the number of aliens passing through their respective ports of entry and the Canadian ports at which they landed, and the said commissioner of immigration for Canada will make to the Reports from Canadian border.

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Commissioner-General of Immigration similar reports in consolidated form, comprising both ocean and border ports.

Ports of entry, Mexico: List of.

Rule 26. *Ports of entry, Mexico.*—In accordance with section 36, the following are named as Mexican border ports of entry for aliens, and any alien who enters the United States across such border at any other point shall be deemed to have entered the country unlawfully, and shall be arrested and deported, under sections 20, 21, and 35 of said act, in the manner provided by Rule 34 hereof:

Mexican border: Inspection along;

Brownsville, Hidalgo, Laredo, Eagle Pass, Del Rio, and El Paso, Tex.; Douglas, Naco, and Nogales, Ariz.; and Andrade, Calexico, and Tia Juana, Cal.

Rule 27. *Admission and exclusion, Mexico.*—Aliens applying for admission at the Mexican border ports of entry named in Rule 26 are subject to examination in the same manner and to the same extent as though arriving at seaports, except in the following particulars:

Blanks to be used in collecting statistics and head tax;

(*a*) In the cases of aliens who are brought to said ports by a transportation or bridge company statistical data shall be gathered and information as to the manner in which head tax, if taxable, is to be assessed indicated by the use of a blank form reading as follows:

Report of inspection.

FORM 548. DEPARTMENT OF COMMERCE AND LABOR,
IMMIGRATION SERVICE, Serial No. ...
MEXICAN BORDER DISTRICT.

Manifest List No.
Line..... PORT OF.....,
Arrived via..... (*Date*)....., *19*..

Personal description.						Place of birth.
Height.		Complexion.	Color of—		Marks of identification.	
Feet.	Inches.		Hair.	Eyes.		
						
						

Name, ...; Accompanied by; Sheet No. ..; Age, ..; Sex, ..;
Married or single, ..; Occupation, ..; Read, ..; Write, ..; Nationality, ...; Race, ...; Last residence, ...; Name and address of nearest of kin in country from whence alien came, ...;
Final destination, ...; Ticket, ...; Passage paid by;
Money, ...; Ever in U. S.?; Where?; When?;
Going to join; Name and address, ...;
Ever in prison, etc.?; Polygamist, ...;
Anarchist, ...; Contract laborer, ...;
Health, ...; Transit, ...;
Head tax assessable against.....
Action by primary inspector.....
Immigrant*,
Statistical* *Inspector.*
Nonimmigrant*,
Nonstatistical* *Interpreter.*

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Mexican border:

CHARACTER OF HEAD TAX ASSESSED.

Straight* Special deposit* (Rule No. ..) Refund certified†.....

ACTION BY BOARD OF SPECIAL INQUIRY.

Hearing held Serial No.
.....† Admitted.....* Deferred, ...
.....† Debarred.....* Cause, ...

ACTION BY DEPARTMENT.

Appeal:	Sustained..†	Dismissed..†	Authority..	Received..†
Domicile:	Allowed....†	Denied.....†	Authority..	Received..†
Bond:	Granted....†	Denied.....†	Authority..	Received..†

Final action (character of), ... Date, ...
Detained (cause), ...from.....to....., incl.

*Strike out inappropriate headings. †Insert date.

Use of above blank;

(*b*) The above blank shall be used by every officer of the immigration service making examinations of aliens brought to Mexican border ports by transportation or bridge companies, and shall be filled out completely in each case and delivered to the inspector in charge at the port of entry, who will thereupon compile from such forms a detailed notice to the collector of customs, upon blanks which will be provided, reading as follows:

Blanks for reporting aliens subject to head tax;

Statement of aliens subject to head tax.

FORM 549. DEPARTMENT OF COMMERCE AND LABOR,
IMMIGRATION SERVICE,
MEXICAN BORDER DISTRICT.

OFFICE OF,
PORT OF,
....., *19...*

COLLECTOR OF CUSTOMS,
.....
.....

SIR: I hereby certify that head tax has been incurred by[a] on account of alien passenger arriving by on this date, and duly admitted:

Alien subject to head tax at $4 each, as follows:
.....
.....
..... $.....

Amount to be deposited on account of alien in transit (Rule 41) and held as special deposit (Treasury decision 24439), as follows: [b]
.....
.....
..... $.....

Amount to be deposited on account of alien held for examination by board of special inquiry (Rule 1) and held as special deposit: [b]
.....
.....
..... $.....

Total..... $.....

.....
(Name.)

.....
(Title.)

[a] Give train number and state mode of transportation.
[b] Names of aliens and their manifest numbers must be given.

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Mexican border:
Examination concerning funds in alien's possession.

(*c*) In the cases of taxable aliens who cross the border by other than regular (bridge or railway) transportation as a preliminary to regular examination under the laws, such alien shall be questioned only sufficiently to determine with precision whether, in the event that full examination should show him to be admissible, he is in financial condition to pay the four dollars head tax. If found to be in possession of sufficient funds in this respect, the examination may be completed, and if the alien is found eligible he shall be required to pay the head tax before being permitted to land; the blanks above given to be used for the purpose of certifying the head tax to the collector of customs.

Fines:
On account diseased aliens—
Manner of imposing;

Rule 28. *Fine, bringing of diseased aliens.*—As a means of enforcing the collection of any fine imposed under the provisions of section 9 of the Immigration Act, the said section directs the refusal of clearance papers to any vessel bringing an alien diseased as described therein to a port of the United States. To avoid, on the one hand, the denial of reasonable time to the master, agent, owner, or consignee to show cause why such fine should not be imposed and, on the other hand, the loss of the summary and effective means provided for the collection of such fines, the following instructions will be observed:

Contents of medical certificates concerning;

(*a*) The certificate of the medical examiner in the case of an alien afflicted with idiocy, imbecility, epilepsy, tuberculosis, or a loathsome or dangerous contagious disease shall state whether, in his judgment, the existence of such disability or disease might have been detected by a competent medical examination at the port of foreign embarkation.

Notification;

(*b*) Upon the receipt of a medical certificate in compliance with the preceding paragraph hereof, the commissioner of immigration or inspector in charge at the port of arrival shall *at once* serve notice upon the master, agent, owner, or consignee of the vessel upon which such alien arrived in the following form, printed blanks for that purpose to be procured from the Department, viz:

Form of notice; *Notice of liability for fine on account of bringing diseased alien to the United States.*

FORM 507. DEPARTMENT OF COMMERCE AND LABOR,
IMMIGRATION SERVICE,
[Prepare in triplicate.] OFFICE OF.....,
PORT OF.....,
....., 19..

To.....
..... of the steamship
[Master, agent, owner, or consignee.]
.....

In conformity with the requirements of Rule 28 of the Immigration Regulations, you are hereby notified that the certificate of the examining surgeon, based upon a physical examination of the alien whose

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Fines:
On account diseased aliens—

name is shown herein, indicates that a fine should be imposed under the provisions of section 9 of the Immigration Act approved February 20, 1907.

If you desire a hearing as to whether a fine should be imposed in this instance, you will be allowed sixty days from the date of this notice for that purpose, and the vessel on which the said alien arrived will be granted clearance papers when she is ready to sail and allowed to proceed upon her outward-bound voyage, upon condition that you deposit with the collector of customs at this port, prior to her sailing, the sum of one hundred dollars as security for the payment of the said fine, should it be imposed.

Name of alien.	Steamship.	Disease.
.....		

.....
[Name.]
.....
[Official title.]

Received the above notice....., 19.., at M.
[Time.]

.....

(Witness:)

.....

Disposition of notice;

(*c*) The notification shall be prepared in triplicate, the original to be delivered by an employee of the Immigration Service at the office of the master, agent, owner, or consignee to whom it is addressed, said employee to witness the signature of the recipient. Receipt of service shall be indorsed upon the duplicate and triplicate, the duplicate to be returned to the office of the commissioner of immigration or inspector in charge and preserved as proof of delivery, and the triplicate to be delivered to the collector of customs, who will withhold clearance papers until the deposit is made.

Deposit;

(*d*) The special deposit of one hundred dollars required to stay action for the period of sixty days shall be made to the collector of customs for the district wherein the port of arrival is located before such sailing, and in default thereof all further proceedings shall be discontinued and the facts certified to the Bureau of Immigration and Naturalization by first mail, together with the medical certificate and duplicate notice, in order that such action may be taken as the evidence requires.

Stay of action;

(*e*) If, after service of the notice as provided in paragraph (*b*) of this circular, the deposit of one hundred dollars has been made in conformity with the said notice, the commissioner of immigration or inspector in charge shall suspend further proceedings until the submission of the evidence offered to show why the said fine should not be imposed, or until the lapse of the specified period of sixty days thereafter. When the said evidence has been submitted it shall be forwarded, together with the certificate of the examining surgeon and duplicate notice, to the Commissioner-General of Immigration, for presentation to the Secretary of Commerce and Labor, by the said commissioner or inspector in charge, who shall at the same time present his written views as to whether the said fine should be imposed. If no evidence is submitted prior to the expiration of the said sixty days, then said

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Fines: *On account diseased aliens—*

commissioner or inspector in charge shall report the case, without such evidence, for action by the Secretary of Commerce and Labor.

Final proceedings;

(*f*) Upon receipt of the decision of the Secretary of Commerce and Labor, a copy thereof shall be forwarded to the collector of customs, together with such data as may enable him to identify the special deposit made in that particular case. If the said decision imposes the fine, the one hundred dollars deposited as security shall be accounted for by the said collector in the usual manner as a fine; if the decision holds that the penalty has not been incurred, the collector of customs shall return to the depositor the amount deposited as security.

Exceptional proceedings concerning alien seamen.

(*g*) All cases of alien seamen believed to fall within the preceding provisions shall, before requiring the special deposit, be completely reported to the Department, and only upon receipt of instructions from it shall this rule be enforced in such cases. (See also paragraph (*a*), Rule 22.)

For nonmanifesting—

Rule 29. *Fine, failure to deliver manifests.*—If the master or commanding officer of any vessel bringing aliens to a United States port fails to deliver to the immigration officers at such port lists or manifests, as required by sections 12, 13, and 14, and it therefore becomes necessary to collect the fine imposed by section 15, the following instructions shall be observed:

Notice and procedure as to incoming passengers;

(*a*) Written notice, clearly setting forth the particulars in which the lists or manifests are deficient, shall be served upon the steamship company concerned, allowing such company the period of sixty days from date of notice within which to place before the Department, through the local immigration officials, such evidence, if any, as said company may possess to show cause why the statutory penalty should not be collected. Copies of such notices and the responses thereto shall be kept of record, and shall be forwarded to the Department in the event the collection of the penalty is protested; and in no protested case shall suit be instituted to enforce collection until the Department has rendered a decision directing that collection be made.

Procedure for protesting collection;

Notice as to outgoing passengers;

(*b*) Similar notice shall be given by collectors of customs as a preliminary to collecting fines for failure to promptly furnish manifests of outward-bound alien passengers. (See Rule XXIX, statistical regulations.)

Can not be remitted;

(*c*) Under an opinion of the Attorney-General, the fine mentioned in this rule can not be remitted. (25 Op. At. Gen., 336.)

Aggregate not to exceed $100, in cases departure;

(*d*) In no case covered by this rule shall the aggregate amount of fines collected in any one instance of departure of a vessel exceed one hundred dollars.

Exemption on account diplomatic and consular officers;

(*e*) The detailed statistical information required under section 12 of the Immigration Act and section 1 of the naturalization act of June 29, 1906, shall not hereafter be required to be furnished in the cases of diplomatic and

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consular officers, and other officials duly accredited by their governments, together with their suites, families, and guests, coming to the United States or in transit. The names of all such diplomatic and consular representatives and their suites, families, and guests, with their respective titles, should, however, appear grouped together upon the manifest.

Fines: *For nonmanifesting—*

(*f*) As an additional precaution, all aliens examined at ports of entry, concerning whom complete information is not furnished in the manifests, should be questioned as to whether demand was made upon them by the representatives of the steamship company at the port of foreign embarkation for the items of information that are lacking; and in case such answer is in the negative, the affidavit of the alien shall be taken and filed for future reference if required.

Questioning aliens concerning items lacking in manifests.

(*g*) The certificate (unverified) of a responsible surgeon located at the point of embarkation or at the last port of call, prepared in the form appearing upon the reverse side of the manifest (Form 1500), shall be accepted as a sufficient compliance with section 14 requiring that when no surgeon sails with a vessel bringing aliens to the United States, the mental and physical examination of such aliens shall be made by "some competent surgeon employed by the owners of the said vessel."

Certificate of surgeon, regarding aliens aboard vessel:

What acceptable.

(*h*) There will be furnished to the steamship company by the Bureau of Immigration and Naturalization blank books suitable for use in the preparation of alphabetical indexes of manifests.

Manifests:

Alphabetical indexes of.

Rule 30. *Fines, reporting of.*—The following method will be observed in reporting fines incurred under the immigration laws:

Fines:

Method of reporting when U. S. attorney requested to prosecute.

(*a*) Commissioners of immigration or inspectors in charge will, in all cases wherein a United States attorney is requested to institute proceedings for the recovery of prescribed penalties or to undertake criminal prosecution of an alleged offender against the immigration laws, make a report at the same time to the collector of customs for the district in which the offense was alleged to have been committed. Said report shall be rendered in every case which may arise, irrespective of the possible outcome of any legal proceedings, and shall embrace the following: (1) Date when offense was committed; (2) act, and section thereof, violated; (3) nature of offense; (4) name of offender; (5) nationality, kind, and name of vessel; (6) statutory amount of fine; (7) date of reporting case given to each violation.

(*b*) Upon receipt of the above reports, the collector of customs will give each case a number in chronological order. When more than one section of a statute is violated by the same vessel, a separate case number will be given to each violation.

(*c*) At the close of each month, collectors of customs will render reports in the same manner as in the case of

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Fines:

navigation and steamboat-inspection fines, viz: All fines incurred during the month must be reported on Form Cat. No. 1078, showing, under the heading "Remarks," the date when the case was reported to the United States attorney.

(*d*) All fines disposed of during the month must be reported on Form Cat. No. 1006. In connection with this form, the account current (Form Cat. No. 1000) must be used.

(*e*) At the close of June and December in each year, semiannual reports, on Form Cat. No. 1079, must be rendered, showing all unsettled cases on hand and explaining the cause of delay in disposing of them.

RULES RELATING TO DEPORTATION.

Deportation, aliens subject to:

Rule 31. *Deportation, aliens subject to.*—Aliens of the following classes are subject to arrest, upon the warrant of the Secretary of Commerce and Labor, and to deportation to the country whence they came, at any time within three years after landing or entry:

Members excluded classes;

(*a*) Aliens who, at the time of entry, belonged to any of the classes of persons enumerated and defined in section 2 of the Immigration Act or in the Executive order of March 14, 1907, and who should, therefore, have been then excluded. (Secs. 20, 21.)

Public charges;

(*b*) Aliens who become public charges from causes existing prior to landing. (Sec. 20.)

Prostitutes;

(*c*) Alien women or girls who are found to be inmates of a house of prostitution or practicing prostitution. (Sec. 3.)

Those entering surreptitiously.

(*d*) Aliens who are found to have entered the United States at any other place than at the seaports thereof or at one of the ports or places designated in Rules 24 and 26 hereof, and aliens found to have entered at a seaport, but at any time or place other than as designated by the immigration officers. (Secs. 18, 36.)

Public charges from prior causes:

Rule 32. *Public charges from prior causes.*—The case of every alien found to have become a public charge from causes existing prior to landing should be reported to the immigration officer stationed nearest the place where the alien is confined. This report *must be accompanied by*—

Reporting cases of;

Medical certificate of;

(1) An unequivocal certificate (Form 534) of the *principal medical officer* of the institution of which the alien is an inmate, setting forth:

Data for verifying landing of;

(*a*) That the alien is a public charge, and giving: Date of admission to the institution; date and port of foreign embarkation; ship and line by which arrived; date and port of American debarkation; correct name; name under which manifested; age; nationality; and citizenship.

Exact condition to be shown;

(*b*) An accurate statement in plain terms of the mental or physical disability of the alien, covering any and all complications which his condition may present; also

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his present condition with reference to the degree of helplessness to which reduced; the probability of a cure, or the degree to which health and ability to become self-supporting may be restored; and in insanity cases, whether recurrent attacks might be expected if recovery from present onset were effected. Public charges from prior causes:

(c) A full and complete recital of the causes to which are attributed the alien's condition as a public charge. Statement of causes required;

(d) Whether such causes are considered to have existed prior to or to have arisen subsequent to landing; and if believed to have existed prior to landing, stating specifically the reasons upon which belief in prior cause is based, or, in other words, the features of the case which justify such a conclusion. Origin of causes;

(2) A *complete copy* of the clinical or general history of the case as shown by the hospital records, and including the statements of relatives and friends. Copy of history required;

(3) In the cases of insane patients, a copy of the commitment papers containing the grounds alleged by the examining physicians as the basis for commitment. Commitment papers;

(4) Before applying for a warrant in accordance with Rule 34, the immigration officer to whom the foregoing report is made shall, whenever practicable, cause the alien to be examined by an officer of the Public Health and Marine-Hospital Service, whose certificate should accompany the application for a warrant. Further certificate required if possible.

Rule 33. *Public charges, medical certificate.*—In the event that the examining medical officer is able definitely to certify that an alien was, at the time of landing in the United States, afflicted with insanity, idiocy, imbecility, feeble-mindedness, epilepsy, tuberculosis, or a loathsome or dangerous contagious disease, such a certificate will be regarded as prima facie evidence of entry in violation of section 2 of the Immigration Act, and, in the absence of satisfactory evidence to the contrary, the alien will be deported in accordance with the provisions of sections 20 and 21. Public charges: Medical certificate concerning.

Rule 34. *Deportation, application for warrant.*—Every immigration officer receiving a report in conformity with Rule 32, accompanied by a medical certificate that complies with either Rule 32 or Rule 33, shall communicate with the officer in charge at the port of entry and, if landing is verified from the official records, shall make application for warrant in the manner provided by Rule 35. Such aliens will not be removed from the institutions in which they are confined until after due hearing and after an order of deportation is issued, or unless special instructions for removal are incorporated in the warrant. Deportation: Application for warrant of.

Rule 35. *Deportation, procedure.*—In enforcing sections 20 and 21 of the act approved February 20, 1907, the following instructions regarding applications for warrants of arrest and deportation will be observed: Deportation, procedure:

(a) All applications for warrants must be made, if possible, upon blank Form No. 565, which will be fur- Application for arrest warrant;

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Deportation, procedure: nished upon written request to the Commissioner-General of Immigration, Department of Commerce and Labor, and which must be filled out in accordance with the printed lines contained therein, and be accompanied by the certificate of landing or entry (Form No. 564) hereinafter prescribed, or if not so accompanied the reasons for the absence of such certificate must be given, and in that case all the facts called for in the blank form of said certificate shall be set forth in the application, so far as the facts are ascertainable.

Affidavits to accompany; (*b*) A full statement must be made in every such application of the facts, supported if practicable by affidavits, which show the presence in the United States of the alien whose arrest and deportation is sought to be in violation of law.

Verification of landing; (*c*) The certificate of landing in or entry into the United States must contain a complete statement in detail of all the facts disclosed as to any such alien by the manifest or list containing his name, with an attached certificate by the officer in charge of such manifest that the information given agrees in all particulars with the record of such alien in said list or manifest.

Telegraphic application for arrest warrant; (*d*) Telegraphic application for warrants should be avoided so far as possible, but, if the circumstances of any particular case make it absolutely necessary to resort to request by wire, such request must state that the foregoing regulations have been complied with, and that the form of application and certificate hereinbefore mentioned have been forwarded to the Department, and must give the substance of the statement of facts contained in the said application and certificate. In order to obviate any possible legal difficulty in the service of the telegraphic warrant, the Department will confirm the telegram by sending in the next outgoing mail a formal written warrant. The statement of facts, contained in the telegraphic application, therefore, must be sufficiently complete and specific to form the basis of the formal warrant.

Issuance of arrest warrant; (*e*) If, thereafter, it appears to the Secretary that the alien concerned is in the United States unlawfully, and that the time within which he may be deported has not expired, a warrant for his arrest shall issue directing that he be taken before the person or persons therein described and there be given a hearing, at which he shall have full opportunity to show cause, if any there be, why he should not be deported.

Hearing under arrest warrant; During the course of the hearing the alien shall be allowed to inspect the warrant of arrest and all the evidence on which it was issued; and, at such stage thereof as the person before whom the hearing is held shall deem proper, the alien shall be apprised that he may thereafter be represented by counsel, and shall be required then and there to state whether he desires counsel or waives the

Rights of counsel: same, and his reply shall be entered on the record. If

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counsel be selected he shall be permitted to be present during the further conduct of the hearing, and be permitted to inspect and make a copy of the minutes of the hearing so far as it has proceeded, and to offer evidence to meet any evidence theretofore or thereafter presented by the Government. At the close of the hearing all of the papers, including the minutes, and any written argument submitted by counsel for the alien, shall be forwarded to the Department as the record on which to determine whether or not a warrant for deportation shall issue. Deportation, procedure:

If the alien is unable to speak or understand English, an interpreter shall, where practicable, be employed. If it be necessary to employ as such some one outside the Service, authority for payment of a reasonable compensation will, upon request, be granted. If the alien be physically or mentally incapable of testifying, his relatives, friends, or acquaintances, if any, shall be questioned. Interpreter to be secured;

(*f*) The record of the hearing accorded an alien who is insane or has become a public charge shall be supplemented by a *written* certificate of the medical officer in charge of the institution in which the alien is confined, showing whether such alien is in condition to be deported without danger to life. Medical certificate;

(*g*) Pending decision upon the case the alien shall be released from custody, provided there is furnished a satisfactory bond as required by section 20, prepared on the blank form supplied by the Bureau. No arrested alien shall be released until the authority of the Department to accept bond in a specified sum is received, nor until the sureties on the bond have been found to be financially responsible. Before releasing the alien, either one of two methods shall be observed (as may be deemed best calculated to insure expedition) to have the bond approved as to form and execution: First, forward the bond to the Bureau at Washington for review by the Solicitor; or, second, submit the bond to the local United States attorney for such purpose. The alien shall be promptly released on receipt of advice that the bond has been approved as to form and execution, and the bond forwarded to the Bureau for formal acceptance. In default of bail, the alien shall be held in custody in some convenient secure place. The holding of aliens in jail shall be avoided to the fullest extent consistent with a proper enforcement of the law. When necessary to hold them in jail, every reasonable effort shall be exerted to see that their surroundings are proper, especially if they are women or children. Release under bond; Sureties on bond; Approval of bond; Holding aliens in default of bond;

(*gg*) The purposes of the bond mentioned in paragraph (*g*) are to insure the production of the alien "for a hearing or hearings * * * and for deportation if he shall be found to be unlawfully in the United States" (sec. 20). The Department's authority to detain the alien in custody in default of bail is limited to the same purposes. There- *Witnesses*, holding arrested aliens to serve as;

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Deportation, procedure:

fore, any case in which it is believed a prosecution should be brought must be promptly reported to the United States attorney, with request that, if he decides to institute proceedings, arrangements be at once made either to take the deposition of the alien or to secure an order from the court for his detention as a witness, as the nature of the proceedings may require. If the court orders the commitment of the alien, custody will be surrendered to the person designated by the court to receive him until the term of commitment ends. If the court accepts a bond or recognizance for the appearance of the alien as a witness, he may, pending his discharge as such, be released under a further bond, approved by the Department, in the penalty of not less than $500, conditioned for his production when required for deportation; or, if he is unable to give the further bond, he may be released if satisfactory arrangements are made with the officers of the court for his return to the custody of the immigration officials when no longer required as a witness. Unless the alien is committed by the court, or is released under the bonds or under the arrangement with court officials, hereinbefore mentioned, deportation must be effected in regular course.[a]

Witnesses, holding arrested aliens to serve as;

Issuance of deportation warrant;

(*h*) If, after the receipt of the report of such hearing, it shall appear to the satisfaction of the Secretary, from all the evidence, that such alien is in the United States in violation of law and that the time within which he can be deported has not expired, a warrant will be issued for his deportation.

Care to be exercised in conducting investigation;

(*i*) Officers are directed to make thorough investigation of all cases where they are credibly informed, or have reason to believe, that a specified alien is in the United States in violation of law. It is not permissible for officers to resort to any form of intimidation, by threats, violence, or otherwise, in order to extort from any suspected alien or from any other person the information to be embodied in the application for the warrant of arrest. Officers are specially cautioned not to lend their aid in causing the arrest of aliens upon charges arising out of personal spite or enmity, unless the truth of such charges is clearly established.

Notice to steamship company;

(*j*) In every case in which a warrant of deportation is issued under sections 20 and 21, the immigration official in charge at the port from which deportation is to be made shall notify the steamship line, on a vessel of which the alien is to be placed, of the intended deportation as promptly as possible after receipt of a copy of the departmental warrant and of advices from the officer under whose supervision the arrest and hearing in the case have been effected. And in all such cases care shall be exercised by all immigration officials concerned to furnish the

[a] For further administrative details regarding this paragraph, see Bureau circular letter of July 20, 1909.

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steamship officials with full and exact information concerning the name, destination, condition of health, etc., of the alien to be deported. Deportation, procedure:

(*k*) If the conditions are such that an attendant (or matron) will be required to assist in conveying an alien from an inland point to the seaport of deportation, special request for authorization therefor should accompany the record of hearing under a warrant of arrest. Such attendants will be allowed a nominal compensation of *one dollar* and traveling expenses both ways. This rate must not be exceeded in any instance without special authorization, based upon extraordinary conditions, to be fully set forth for the guidance of the Department. Attendant to seaport.

Rule 36. *Deportation, cost of maintenance.*—The cost of maintaining aliens during the pendency of warrant proceedings under the preceding rules is a proper charge against the appropriation "Expenses of regulating immigration;" but in cases of aliens who have become public charges from causes existing prior to landing in the United States such cost shall not be allowed for any period preceding the date of issuance of warrant of arrest to an officer of the Immigration Service, and even then only in the event that the Department, upon investigation, orders the deportation of the alien. Maintenance bills under this rule shall be delivered to the immigration officer in immediate charge of the case within a period of twenty days from the close of the calendar month in which occurs the death of the alien or removal from the institution for deportation. Failure to so render maintenance bills shall relieve the United States from any responsibility for the payment thereof. If proceedings against a procurer or contractor are instituted in accordance with sections 3, 5, or 20 of the Immigration Act, immigration officers should report to the United States district attorney the amount of the cost of deporting the alien, including one-half of the entire cost of removal to the port of deportation, so that a proper effort may be made to recover such expense from the procurer or importer and the reimbursement of the Government and the transportation company for their respective parts thereof. Arrest and deportation: Expense of maintnance during proceedings, how borne; Time for rendering bills; Method of obtaining reimbursement when importers are prosecuted.

Rule 37. *Deportation, procedure in cases of insane or diseased aliens requiring special care and attention:*[a] Deportation: Procedure in cases of insane or diseased aliens; Aliens requiring special care and attention;

(*a*) When deportation is to be effected either under warrant proceedings or in pursuance of rejection at a port, the responsible steamship company shall be required to afford the deported alien special care and attention, if, in the first class of cases, the Department decides when issuing the warrant that such care and attention are necessary, or if, in the second class of cases, the commissioner or inspector in charge at the port renders such a

[a] For special regulations regarding arrest and deportation of prostitutes and procurers, and anarchists and criminals, see Department Circulars Nos. 156 and 163, resectively.

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Deportation: decision. The report of hearing in warrant proceed should be accompanied by a statement obtained from physician (if practicable a surgeon of the Public He and Marine-Hospital Service) having personal knowle of the alien's condition, showing such condition in te that will enable the Department to determine whe special care and attention are needed.

Procedure in cases of; (*b*) If the Department (or the commissioner or spector in charge, as the case may be) finds that the a requires special care and attention, the steamship lin which deportation occurs must provide all necessary and attention as called for by his condition, not only ing the ocean voyage, but also (except as hereinafter vided) during the foreign land journey. Proof that s care and attention have been provided and the alien to his final destination must be furnished through sh "B" and "C" of Form 597 hereinafter referred to.

Returns by vessels concerning;

Delivery of forms of returns; (*c*) The alien may be delivered to the master or firs second officer of the vessel by which deportation is occur, and together with the alien there shall be delive Form 597 (composed of sheets "A," "B," and "C also a duplicate carbon of sheet "A." The receipt sheet "A" will be completely filled out by an immigrat officer (except as to signature) prior to delive shall also insert at the blank space following "No." a top of each sheet the number of the departmental warra where deportation occurs pursuant to warrant, *and th* local correspondence file number where deportation occur pursuant to rejection by a board. The receipt attache to sheet "A" shall be signed by the ship's officer to whom the alien has been delivered and returned forthwith to th immigration officer making delivery. Sheets "B" and "C" shall be retained by the ship's officer and in due course filled out by the agents or persons therein desig nated and by them returned by mail as therein provided.

Preparation of returns; (*d*) From the foreign port of debarkation the steamship company must forward the alien to destination in charge of a proper custodian (all expenses to be borne by such company), except only in cases where *foreign* public officials decline to allow such custodian to proceed and themselves take charge of the alien. In that *event* this fact must be shown by signing the form provided in the lower half of sheet "C," and where foreign public officials have taken charge at the port of debarkation it will be unnecessary to fill out any portion of the form on the upper half of sheet "C."

Where the foreign public officials take charge not at the port of debarkation, but at an interior frontier, both forms on sheet "C" must be filled in, the former in relation to the inland journey as far as such frontier.

Mailing of returns; (*e*) Whenever, without excuse satisfactory to the commissioner or inspector in charge of immigration at the port of embarkation, a steamship company has failed, for

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Deportation:

a period of ninety days after departure of an alien requiring special care and attention under this rule, to comply with any of the terms thereof, including failure to return sheets "B" and "C" properly filled out, such commissioner or inspector in charge shall forthwith report this fact to the Commissioner-General of Immigration, and thereafter the Secretary of Commerce and Labor will, without further notice and during such period as he shall determine, exercise his right under section 21 to employ suitable persons to accompany to their final destinations aliens deported on a vessel of such steamship company requiring special care and attention. Instructions as to compensation of such attendants, their mode of travel, their right of access to the alien during the ocean voyage, and other necessary matters will be given in each case as it arises.

To be to trans-oceanic port;

Rule 38. *Deportation, where to.*—The deportation of aliens as prescribed in Rules 30 to 36 hereof shall be to the foreign trans-Atlantic or trans-Pacific port from which such aliens embarked for the United States; or, if such embarkation was for foreign contiguous territory, to the foreign port at which they embarked for such contiguous territory. (Sec. 35.)

Of public charges from subsequently arising causes;

Rule 39. *Deportation by consent.*—Any alien who has been lawfully landed, but who has become a public charge from subsequently arising physical inability to earn a living, may, by consent of the alien and with the approval of the Bureau of Immigration and Naturalization, be deported within one year from date of landing at the expense of the immigrant fund: *Provided*, That such alien is delivered to the immigration officers at a designated port free of charge; and the charges incurred for the care and treatment of any such alien in any public or charitable institution from the date of notification to an officer of the Bureau until the expiration of one year after landing may be paid from the immigrant fund at fixed rates agreed upon.

Expense, how borne.

RULES RELATING TO TRANSIT.

Transits:

To be examined;

Rule 40. *Aliens in transit.*—Every alien seeking a landing for the purpose of proceeding directly through the United States to a foreign country shall be examined, and, if found to be a member of any one of the excluded classes, shall be refused permission to land, in the same manner as though he intended to remain in the United States. Cases where a refusal of the privilege would entail exceptional hardship may be reported to the Secretary for a special ruling.

Cases exceptional hardship to be reported;

Head tax must be deposited on account of;

Rule 41. *Aliens in transit, head tax for.*—(*a*) No alien desiring admission at a port of the United States for the professed purpose of proceeding directly therefrom to foreign territory shall be permitted to land thereat except after deposit with the collector of customs at said

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Transits:

port, by the master or owner of the vessel or by a representative of any other mode of transportation by which such alien is brought, of the amount of the head tax (four dollars) prescribed by section 1 of the Immigration Act, said amount to be refunded upon proof satisfactory to the immigration officer in charge at the port of arrival that said alien has passed by direct and continuous journey through and out of the United States within thirty days from the date of admission, proof of such departure to be furnished within sixty days from the date of admission. Special deposits of head tax on account of aliens in transit will, at the expiration of sixty days from the date of admission, be covered into the Treasury as head tax, the cases in which proof of departure is received after the expiration of such period to be reported to the Bureau of Immigration and Naturalization for special authorization, under the provision incorporated in the legislative, executive, and judicial appropriation act approved February 3, 1905.

Head tax to be refunded on proof of departure;

Head tax to be covered into Treasury at expiration of 60 days; How then refundable;

Head tax on, special system of collecting and refunding when from Canadian territory;

(*b*) All aliens of the taxable class desiring to proceed in transit through the United States from the Dominion of Canada shall be required to furnish to the examining officer or officers guaranty of payment of head tax described in paragraph (*k*) of Rule 25 of these regulations. If admissible, aliens claiming to be in transit will be given certificate Form 523, providing for refund of head tax upon such certificate being properly indorsed by the alien and by the purser of the outgoing trans-Atlantic or trans-Pacific steamship upon which the holder of said certificate may depart from the United States; or, if the alien be passing in transit through the United States from one point in Canada to another point in Canada, then such indorsement to be made by the conductor of the train upon which the holder of the certificate departs from the United States.

Head tax on those arriving at Canadian seaports;

(*c*) Refund of head tax will be made on aliens of the taxable class, arriving at Atlantic or Pacific ports of Canada and desiring to proceed immediately in transit through the United States, to the transportation line responsible for payment of head tax on such aliens, upon proof satisfactory to the United States commissioner of immigration for Canada that said aliens have passed by direct and continuous journey through and out of the United States within the time limit specified in this rule.

Entering and leaving at same port — refund of head tax on account of;

(*d*) Even though an alien, being a "transit passenger," enters and leaves the United States at the same port the provisions of this rule shall be applied to his case to the same extent, and in the same manner so far as necessary, as though such alien entered at one port and departed through another. In the cases of those entering across the Canadian border as transient visitors, however, Form No. 569 will be used instead of Form No. 523, under the procedure laid down in paragraph (*b*) hereof.

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Transits: Entering as tourists — different practice applying to;

(*e*) A class of "transit passengers" which requires somewhat different treatment in practice than "transits" as ordinarily understood and "transient visitors," whose cases are covered by the preceding paragraphs hereof, consists of aliens visiting the United States as tourists, on pleasure or business. With regard to such class, no payment or deposit of head tax need be required, if the immigration officers at the port of entry are satisfied that it is the *bona fide* intent of the passenger merely to visit or tour the United States. For instance, when an alien is in possession of first-class round trip or through transportation, or other circumstances are present, indicating with reasonable certainty that the passenger is a tourist, deposit should not be required; if doubt exists, he should be classed as a "transit" or "transient visitor."

MISCELLANEOUS RULES.

Cattlemen: Admission of;

Rule 42. *Cattlemen.*—It is ordered that all cattlemen returning to ports within the United States holding certificates duly signed by a commissioner of immigration or an immigrant inspector shall be entitled, upon identification, to admission into the United States without further examination by the immigration officers, to whom said certificate must be presented and surrendered, which certificate must be as follows:

Form of certificate for.

FORM 567.

[Stub.]

No.....
Port of.....
Date....., 19....
Name.....
Age.....
Native of.....
Employed by.....
Of.....
A cattleman sailing on the steamship.....
Surrendered at the port of.....
....., 19....
Height.....
Weight.....
Color of hair.....
Color of eyes.....
General remarks.....
.....
.....
Signature of cattleman:
.....

Cattlemen's certificate of admission.

DEPARTMENT OF COMMERCE AND LABOR.
IMMIGRATION SERVICE.

No..... PORT OF.....,
....., 19...

This is to certify that a native of.....age....., who is duly accredited an employee of..... sailing on the steamship....., 19..., is a cattleman from the port of.....United States of America.

The holder of this certificate will be permitted to enter the United States as a returning cattleman on presentation of this certificate and proper identification by the immigration inspector

Height.....
Weight.....
Color of hair.....
Color of eyes.....
General remarks.....
.....

.....,
Commissioner of Immigration.

NOTE.—This certificate must be furnished by the commissioner of immigration, or immigrant inspector, to the steamship company at the port of departure. The certificate will be filled in by the United States officer and delivered to the captain of the vessel upon which the cattleman sails, who in turn will deliver the paper to the person in whose name it is issued, at the foreign port of destination, to enable the cattleman to return. Any alteration or erasure of this certificate renders it void, and if it is presented by any person other than its rightful owner it will be taken up and the holder subjected to the inspection required by law.

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Immigration officials:

Administration of oaths by.

Rule 43. *Administration of oaths.*—The authority to administer oaths conferred upon immigration officials by section 24 of the Immigration Act is limited to matters "touching the right of any alien to enter the United States." When, therefore, such officials are detailed to investigate frauds or attempts to defraud the Government, or any irregularity or misconduct of any officer or agent of the United States, section 183 of the Revised Statutes should be relied upon for authority to administer oaths to witnesses.

Posting laws:

Filing certificate of.

Rule 44. *Posting of immigration acts.*—The certificate required by section 8 of the act of Congress approved March 3, 1893, that copies of the immigration acts have been duly posted, shall be filed with the Secretary of Commerce and Labor upon the first days of January and July of each year.

Official communications:

To be sent through official channels.

Rule 45. *Official communications.*—Officers employed in the administration of the immigration and Chinese-exclusion laws are notified that all communications to the Department upon official matters must be addressed to the Commissioner-General of Immigration or to the Secretary of Commerce and Labor through official channels.

Telegraphing:

Code for.

Rule 46. *Telegraphing.*—With the object of reducing the expense of telegraphing in connection with the official business of the Immigration Service, the telegraphic code provided by the Bureau of Immigration and Naturalization will be employed to the fullest extent possible.

Uniforms:

Officers required to wear;

Rule 47. *Uniforms.*—It is hereby ordered that inspection officers and employees of the Immigration Service stationed at ports or places of entry into the United States *and elsewhere* shall, while on duty, *unless otherwise specially directed in writing*, wear uniforms designated by the Bureau of Immigration and Naturalization, said uniforms to be purchased by the said inspectors and employees.

Particulars concerning—

Suits;

(*a*) UNIFORM SUITS: Uniform suits will be made of dark blue cloth. The following are the prescribed styles:

Suits for inspectors and assistant inspectors—Coats.—Double-breasted sack, four buttons on each side, ends cut square. Two lower outside pockets, one on upper left side and small ticket pocket on right side. All outside pockets to have flaps, except upper left-hand pocket. Two inside pockets. All pockets to be of liberal size.

Vests.—Single-breasted, six buttons, collar. Four pockets without flaps. Bone buttons.

Trousers.—Plain, with side pockets, two hip pockets, and watch pocket. No stripe. Band back and front on inside at bottom.

Suits for all other officials.—Same as above, except that coat shall be single-breasted instead of double-breasted.

Buttons;

(*b*) BUTTONS: The bone buttons upon suits will be of a special pattern designed to fit brass button shells (detachable) which must be affixed and worn in all cases

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Uniforms: *Particulars concerning—*

while on duty. Button shells will be forwarded without cost upon application to the Bureau.

Caps;

(*c*) CAPS: Contract has been made for uniform caps, which must be paid for by the employees, the cost per cap being two dollars. If money order for this sum is forwarded to the Bureau, through official channels, full name and title of employee and size of cap wanted being stated, the same will be ordered sent direct to purchaser, express charges collect. The winter cap is made of blue cloth and the summer cap of black silk. *Unless otherwise specified*, BLUE CLOTH cap will be furnished.

Cap insignia;

(*d*) CAP INSIGNIA: Caps will be provided with appropriate insignia and lettering without charge to employees, but orders must be placed through the Bureau in every instance.

Collar insignia;

(*e*) COLLAR INSIGNIA: Inspectors in charge of stations, or of the various divisions at the principal ports of entry, will be designated by an appropriate legend worn on both sides of the front of the coat collar. These legends will be worked in gold letters upon blue cloth, and may be obtained free of cost upon application to the Bureau. The cloth strips will be attached to the coat collars with hooks and eyes, so that they may readily be removed.

Service insignia;

(*f*) SERVICE INSIGNIA: Immigrant and Chinese inspectors one year in the service may be designated by a strip of gold braid upon the top of the cuff of the left coat sleeve 2 inches from the bottom of the sleeve and extending halfway around it. An additional strip may be added one-fourth inch higher than its predecessor for each year's completed service up to five years, when a small gold star may be worn in lieu of the braid, which should then be removed. For each year from five to nine, inclusive, a strip of gold braid may be added. Ten years' continuous service may be indicated by two stars, and so on. The equipments needed to comply with this requirement can be secured without charge upon application to the Bureau, the full name and exact service of the employee being stated. Insignia is issued to inspectors only. The length of service is reckoned from the date of original appointment as inspector, and must not include prior service in other capacities. In making request for insignia, give date of original appointment as inspector, or if at present wearing insignia, describe same and give date on which the last prior addition thereto was received from the Bureau.

Seasons;

(*g*) SEASONS: The time of changing from one weight of uniform to another will be governed by the change of seasons at the various stations of employees. Officers stationed in Hawaii and Porto Rico may wear white duck uniforms and caps, insignia for the latter to be procured free of cost upon application to the Bureau.

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Uniforms: Particulars concerning— Light-weight uniforms;

(*h*) LIGHT-WEIGHT UNIFORMS: Officers and employees stationed at places where the climate is too warm to admit of comfort in wearing the regular summer uniform may have their uniforms made of light material suited to the locality, subject to the stipulation that the color and style shall conform to the requirements of paragraph (*a*) hereof. The special buttons required to fit brass shells may be procured from the Bureau.

Inspections;

(*i*) INSPECTIONS: Commissioners of immigration and inspectors in charge will make reports to the Bureau on the first days of January and July regarding the condition of each part of the uniform of every employee under their respective jurisdictions, each portion of every uniform being graded as excellent, good, fair, or bad, as the case may be. Form 596 will be used in making these reports, and if any reports showing the condition to be "bad" are made, the steps that have been taken to correct this condition should be noted.

New appointees.

(*j*) NEW APPOINTEES: Officers having charge of immigration stations, districts, or ports will require employees newly appointed and ordered to report to them for duty to provide themselves with standard uniforms within thirty days from the date of assignment to duty, and will see that the *full uniform* is worn by all employees, as herein provided.

Districts: Number; Official in charge; Headquarters; Extent.

Rule 48. For convenience in enforcing both the immigration and the Chinese-exclusion laws, the territory within which immigration officials are located is divided into districts, under the jurisdiction of commissioners of immigration or inspectors in charge, numbered, defined, and with headquarters fixed, as follows:

Dist. No.	Title of officer.	Location of headquarters.	Extent of districts.
1	Commissioner of immigration.	Montreal, P. Q., Canada.	Canadian border and Canadian seaports.
2	Commissioner of immigration.	Boston, Mass.....	New England States, including port of Boston and subports of Portland and New Bedford.
3	Commissioner of immigration.	Ellis Island, New York Harbor.	New York and New Jersey; immigration matters *only*.
	Chinese inspector in charge.	17 State street, New York, N. Y.	New York and New Jersey; Chinese matters *only*.
4	Commissioner of immigration.	Philadelphia, Pa..	Pennsylvania, Delaware, and West Virginia; port of Philadelphia and substations of Pittsburg, Chester, and Wilmington.
5	Commissioner of immigration.	Baltimore, Md....	Maryland and District of Columbia; port of Baltimore and subports of Annapolis and Washington.
6	Inspector in charge....	Norfolk, Va.....	Virginia, North Carolina, and South Carolina; port of Norfolk and subports of Newport News, Wilmington, and Charleston.
7	Inspector in charge....	Jacksonville, Fla..	Georgia, Florida, and Alabama; port of Jacksonville and subports of Savannah, Brunswick, Tampa, Miami, Key West, Pensacola, and Mobile.
8	Commissioner of immigration.	New Orleans, La..	Louisiana, Mississippi, Arkansas, and Tennessee; port of New Orleans and subports of Gulfport and Pascagoula.

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Dist. No.	Title of officer.	Location of headquarters.	Extent of districts.
9	Inspector in charge....	Galveston, Tex....	The port of Galveston and subports of Port Arthur and Corpus Christi, Tex. The territory bounded on the north and east by the Louisiana-Texas border and the Gulf of Mexico; on the west by the westerly boundaries of the following counties in Texas: Shelby, Nacogdoches, Angelina, Polk, San Jacinto, Montgomery, Harris, Fort Bend, Wharton, Jackson, Victoria, Refugio, San Patricio, and Nueces; and on the south by the southerly boundary of Nueces County, Tex.
10	Inspector in charge....	Cleveland, Ohio...	Ohio and Kentucky; substations at Toledo and Cincinnati.
11	Inspector in charge....	Chicago, Ill.....	Illinois, Indiana, Michigan, and Wisconsin.
12	Inspector in charge....	Minneapolis, Minn.	Minnesota and North and South Dakota.
13	Inspector in charge....	St. Louis, Mo.....	Missouri, Iowa, Kansas, and Oklahoma.
14	Inspector in charge....	Denver, Colo.....	Colorado, Wyoming, Nebraska, and Utah; substation at Salt Lake City.
15	Inspector in charge....	Helena, Mont.....	Montana and Idaho; substation at Havre, Mont.
16	Commissioner of immigration.	Seattle, Wash.....	Washington; port of Seattle and subports of Tacoma, Port Townsend, and Olympia; substations of Spokane and Walla Walla.
17	Inspector in charge....	Portland, Oreg....	Oregon; port of Portland and subport of Astoria.
18	Commissioner of immigration.	San Francisco, Cal.	Northern California and Nevada; port of San Francisco.
20	Inspector in charge....	Ketchikan, Alaska	Alaska; port of Ketchikan and substations of Skagway and Nome.
21	Commissioner of immigration.	San Juan, P. R...	Porto Rico; port of San Juan and subport of Ponce.
22	Inspector in charge....	Honolulu, Hawaii.	Territory of Hawaii, including all ports.
23	Supervising inspector.	El Paso, Tex.....	Texas, except portion comprising district number 9; New Mexico, and Arizona; port of El Paso, subports of Nogales, Douglas, Waco, Del Rio, Eagle Pass, Laredo, Hidalgo, and Brownsville; substations of San Antonio, Tucson, and Fort Worth.
			Southern California; port of San Diego and substations of Los Angeles and Andrade.

Rule 49. In furtherance of the requirement of section 13 of the immigration act, that the groups in which aliens are listed shall be "convenient," transportation companies are directed, so far as practicable, to assemble or group together all aliens coming from the same locality.

Rule 50. Inspection and entry of aliens into the mainland of the United States from foreign countries, through Porto Rican or Hawaiian territory, under the Immigration Act, will be accomplished in accordance with the following provisions: **Porto Rico and Hawaii:**

(*a*) All aliens arriving in Porto Rico or Hawaii destined to the mainland of the United States shall be inspected at the time of arrival and be given a certificate of the form set forth below. The holders of such certificate, duly signed by the United States commissioner of immi- **Aliens arriving must be examined and given certificate;**

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Porto Rico and Hawaii:

gration at San Juan, or by the inspector in charge at Honolulu, shall be entitled to admission to the United States at any one of the various ports of entry without further examination by the United States immigration officers as to their right to enter, upon their identification and surrender of such certificate to such officials and upon payment of head tax.

Surrender of certificate;

How procured;

(*b*) Aliens manifested in good faith to Porto Rico or Hawaii, who shall reside there for a time, and who subsequently desire to proceed to the United States, shall, upon application to the commissioner of immigration at San Juan or to the inspector in charge at Honolulu, be furnished with the certificate herein referred to, attesting their previous examination.

What certificate denotes;

(*c*) Failure to present the said certificate shall be deemed presumptive evidence that examination has not occurred in Porto Rico or Hawaii, and the alien shall be arrested in the manner provided by sections 20 and 21 of the Immigration Act, and deported, unless he shows that his presence in the country is lawful or that his residence in Porto Rico or Hawaii or the mainland, or both, has exceeded the period of three years.

Effect of failure to secure certificate;

Head tax not collectible;

(*d*) Head tax is not to be collected in the cases of aliens who arrived in Porto Rico or Hawaii prior to July 1, 1907, at which time the Act of February 20, 1907, took effect.

(*e*) The certificate shall be in the following form:

Form of certificate.

Alien certificate—Insular territory.

FORM 546. No.....

DEPARTMENT OF COMMERCE AND LABOR,

IMMIGRATION SERVICE,

Port of, ..., ..., 191...

This is to certify that, a native of, who arrived at the port of per steamship, on the, 19.., has been duly inspected and registered, and will be admitted into the United States upon proper identification and payment of head tax, and surrender of this certificate to any immigration officer at a designated port of entry.

The description of the holder is as follows: Age; height; weight; color of hair; color of eyes

Remarks (note destination, etc.):

....., ...
(Name) (Title)

Surrendered at to Inspector, ..., 191...

(*f*) Special material facts should be noted on the back of the certificate with proper reference thereto on the face.

DAN'L J. KEEFE,
Commissioner-General of Immigration.

Approved February 1, 1911.

BENJ. S. CABLE,
Acting Secretary.

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APPENDIX.

LAWS NOT REPEALED OR REENACTED BY THE IMMIGRATION ACT OF FEBRUARY 20, 1907.

ACT OF AUGUST 3, 1882.

AN ACT to regulate immigration.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there shall be levied, collected, and paid a duty of fifty cents for each and every passenger not a citizen of the United States who shall come by steam or sail vessel from a foreign port to any port within the United States. The said duty shall be paid to the collector of customs of the port to which such passenger shall come, or if there be no collector at such port, then to the collector of customs nearest thereto, by the master, owner, agent, or consignee of every such vessel, within twenty-four hours after the entry thereof into such port. The money thus collected shall be paid into the United States Treasury and shall constitute a fund to be called the immigrant fund and shall be used, under the direction of the Secretary of Commerce and Labor, to defray the expense of regulating immigration under this act and for the care of immigrants arriving in the United States, for the relief of such as are in distress, and for the general purposes and expenses of carrying this act into effect. The duty imposed by this section shall be a lien upon the vessels which shall bring such passengers into the United States, and shall be a debt in favor of the United States against the owner or owners of such vessels, and the payment of such duty may be enforced by any legal or equitable remedy: *Provided*, That no greater sum shall be expended for the purposes hereinbefore mentioned, at any port, than shall have been collected at such port.[a]

Head tax:

Amount.

By whom and to whom paid, within 24 hours after arrival;

To constitute Immigrant fund;

How collection enforced.

* * * * *

Approved, August 3, 1882 (22 Stat., 214).

[a] See section 1, act February 20, 1907, and Rules 1, 2, and 3.

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ACTS OF 1885 AND 1888.

ACT OF FEBRUARY 26, 1885.

AN ACT to prohibit the importation and immigration of foreigners and aliens under contract or agreement to perform labor in the United States, its Territories, and the District of Columbia.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, * * *

Contract labor:

Contracts for alien labor declared void.

SEC. 2. That all contracts or agreements, express or implied, parol or special, which may hereafter be made by and between any person, company, partnership, or corporation, and any foreigner or foreigners, alien or aliens, to perform labor or service or having reference to the performance of labor or service by any person in the United States, its Territories, or the District of Columbia, previous to the migration or importation of the person or persons whose labor or service is contracted for into the United States, shall be utterly void and of no effect.[a]

* * * * *

Approved, February 26, 1885 (23 Stat., 332).

ACT OF OCTOBER 19, 1888.

AN ACT making appropriations to supply deficiencies in appropriations for the fiscal year eighteen hundred and eighty-eight, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, * * *

SEC. 1. * * * That the act approved February twenty-sixth, eighteen hundred and eighty-five, entitled "An Act to prohibit the importation and migration of foreigners and aliens under contract or agreement to perform labor in the United States, its Territories, and the District of Columbia," be, and the same is hereby, amended so as to authorize the Secretary of Commerce and Labor to pay to an informer who furnishes original information that the law has been violated, such a share of the penalties recovered as he may deem reasonable and just, not exceeding fifty per centum, where it appears that the recovery was had in consequence of the information thus furnished.

* * * * *

Approved, October 19, 1888 (25 Stat., 566).

[a] See sections 2, 4, 5, and 6, act of February 20, 1907.

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ACT OF MARCH 3, 1891.

AN ACT in amendment to the various acts relative to immigration and the importation of aliens under contract or agreement to perform labor.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, * * *

Superintendent of Immigration: Office created; Salary fixed.

SEC. 7. That the office of superintendent of immigration is hereby created and established, and the President, by and with the advice and consent of the Senate, is authorized and directed to appoint such officer, whose salary shall be four thousand dollars per annum, payable monthly. The superintendent of immigration shall be an officer in the Department of Commerce and Labor, under the control and supervision of the Secretary of Commerce and Labor, to whom he shall make annual reports in writing of the transactions of his office, together with such special reports, in writing, as the Secretary of Commerce and Labor shall require. The Secretary shall provide the superintendent with a suitably furnished office in the city of Washington, and with such books of record and facilities for the discharge of the duties of his office as may be necessary. He shall have a chief clerk at a salary of two thousand dollars per annum, and two first-class clerks.[a]

* * * * *

Approved, March 3, 1891 (26 Stat., 1084).

ACT OF FEBRUARY 15, 1893.

AN ACT granting additional quarantine powers and imposing additional duties upon the Marine-Hospital Service.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, * * *

Quarantine: President given extraordinary power to suspend immigration.

SEC. 7. That whenever it shall be shown to the satisfaction of the President that by reason of the existence of cholera, or other infectious or contagious diseases, in a foreign country there is serious danger of the introduction of the same into the United States, and that notwithstanding the quarantine defense this danger is so increased by the introduction of persons or property from such country that a suspension of the right to introduce the same is demanded, in the interest of the public health, the President shall have power to prohibit, in whole or in part, the introduction of persons and property from such countries or places as he shall designate and for such period of time as he may deem necessary.

* * * * *

Approved, February 15, 1893 (27 Stat., 449).

[a] See section 1, act March 2, 1895, and section 22, act February 20, 1907.

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ACT OF MARCH 3, 1893.

AN ACT to facilitate the enforcement of the immigration and contract-labor laws of the United States.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, * * *

Certificates:

Required of steamship companies re posting laws in foreign offices;

SEC. 8. That all steamship or transportation companies, and other owners of vessels, regularly engaged in transporting alien immigrants to the United States, shall twice a year file a certificate with the Secretary of Commerce and Labor that they have furnished to be kept conspicuously exposed to view in the office of each of their agents in foreign countries authorized to sell emigrant tickets, a copy of the law of March third, eighteen hundred and ninety-one, and of all subsequent laws of this country relative to immigration, printed in large letters, in the language of the country where the copy of the law is to be exposed to view, and that they have instructed their agents to call the attention thereto of persons contemplating emigration before selling tickets to them; and in

Penalty for failure.

case of the failure for sixty days of any such company or any such owners to file such a certificate, or in case they file a false certificate, they shall pay a fine of not exceeding five hundred dollars, to be recovered in the proper United States court, and said fine shall also be a lien upon any vessel of said company or owners found within the United States.[a]

* * * * *

Approved March 3, 1893 (27 Stat., 569).

ACT OF AUGUST 18, 1894.

AN ACT making appropriations for sundry civil expenses of the Government for the fiscal year ending June thirtieth, eighteen hundred and ninety-five, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in *Congress assembled,* * * *

Commissioners of immigration:

Appointed by President.

The commissioners of immigration at the several ports shall be appointed by the President, by and with the advice and consent of the Senate, to hold their offices for the term of four years, unless sooner removed, and until their successors are appointed; and nominations for such offices shall be made to the Senate by the President as soon as practicable after the passage of this act.[b]

Approved August 18, 1894 (28 Stat., 372).

[a] See Rule 44 for time of filing.

[b] See section 7, act March 3, 1891, and section 22, act February 20, 1907.

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ACT OF MARCH 2, 1895.

AN ACT making appropriations for the legislative, executive, and judicial expenses of the Government for the fiscal year ending June thirtieth, eighteen hundred and ninety-six, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, * * *

BUREAU OF IMMIGRATION.

Commissioner-General:

Title created; Administration contract-labor laws placed under.

That the Superintendent of Immigration shall hereafter be designated as Commissioner-General of Immigration, and, in addition to his other duties, shall have charge, under the Secretary of Commerce and Labor, of the administration of the alien contract-labor laws, etc.[a]

Approved March 2, 1895 (28 Stat., 764).

ACT OF JUNE 6, 1900.

AN ACT making appropriations for sundry civil expenses of the Government for the fiscal year ending June thirtieth, nineteen hundred and one, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, * * * and hereafter the Commissioner-General of Immigration, in addition to his other duties, shall have charge of the administration of the Chinese-exclusion law and of the various acts regulating immigration into the United States, its Territories, and the District of Columbia, under the supervision and direction of the Secretary of Commerce and Labor.

Chinese-exclusion law placed under.

Approved June 6, 1900 (31 Stat., 611).

ACT OF APRIL 29, 1902.

AN ACT to prohibit the coming into and to regulate the residence within the United States, its Territories, and all territory under its jurisdiction, and the District of Columbia, of Chinese and persons of Chinese descent.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, * * *

Fairs and expositions:

Exceptions in favor of exhibitors at.

SEC. 3. That nothing in the provisions of this Act or any other Act shall be construed to prevent, hinder, or restrict any foreign exhibitor, representative, or citizen of any foreign nation, or the holder, who is a citizen of any foreign nation, of any concession or privilege from any fair or exposition authorized by Act of Congress from bringing into the United States, under contract,

[a] See section 7, act March 3, 1891, and section 22, act February 20, 1907.

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such mechanics, artisans, agents, or other employees, natives of their respective foreign countries, as they or any of them may deem necessary for the purpose of making preparation for installing or conducting their exhibits or of preparing for installing or conducting any business authorized or permitted under or by virtue of or pertaining to any concession or privilege which may have been or may be granted by any said fair or exposition in connection with such exposition, under such rules and regulations as the Secretary of Commerce and Labor may prescribe, both as to the admission and return of such person or persons.

* * * * *

Approved April 29, 1902 (32 Stat., part 1, p. 176).

ACT OF FEBRUARY 3, 1905.

AN ACT making appropriations for the legislative, executive, and judicial expenses of the Government for the fiscal year ending June thirtieth, nineteen hundred and six, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, * * *

BUREAU OF IMMIGRATION.

* * * * *

Head tax:

Refund of, when erroneously collected.

Provided, That the Commissioner-General of Immigration, with the approval of the Secretary of Commerce and Labor, shall have power to refund head tax heretofore and hereafter collected under section one of the immigration Act approved March third, nineteen hundred and three, upon presentation of evidence showing conclusively that such collection was erroneously made.[a]

Approved February 3, 1905 (33 Stat., part 1, p. 684).

ACT OF FEBRUARY 6, 1905.

AN ACT to amend an Act approved July first, nineteen hundred and two, entitled "An Act temporarily to provide for the administration of the affairs of civil government in the Philippine Islands, and for other purposes," and to amend an Act approved March eighth, nineteen hundred and two, entitled "An Act temporarily to provide revenue for the Philippine Islands, and for other purposes," and to amend an Act approved March second, nineteen hundred and three, entitled "An Act to establish a standard of value and to provide for a coinage system in the Philippine Islands," and to provide for the more efficient administration of civil government in the Philippine Islands, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, * * *

Philippine Islands:

SEC. 6. That the immigration laws of the United States in force in the Philippine Islands shall be administered

[a] See Rules 1 and 41.

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by the officers of the general government thereof designated by appropriate legislation of said government, and all moneys collected under said laws as duty or head tax on alien immigrants coming into said islands shall not be covered into the general fund of the Treasury of the United States, but shall be paid into the treasury of said islands to be used and expended for the government and benefit of said islands.

Philippine Islands: Enforcement immigration laws therein; Collection head tax therein.

* * * * *

Approved, February 6, 1905 (33 Stat., 689).

ACT OF MARCH 3, 1905.

AN ACT making appropriations for sundry civil expenses of the Government for the fiscal year ending June thirtieth, nineteen hundred and six, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, * * *

Provided, That the annual subscriptions for publications for use in the immigration service at large may be paid in advance.

Subscriptions: To be paid in advance.

Approved, March 3, 1905 (33 Stat., part 1, p. 1156).

ACT OF JUNE 29, 1906.

AN ACT to establish a Bureau of Immigration and Naturalization, and to provide for a uniform rule for the naturalization of aliens throughout the United States.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the designation of the Bureau of Immigration in the Department of Commerce and Labor is hereby changed to the "Bureau of Immigration and Naturalization," which said Bureau, under the direction and control of the Secretary of Commerce and Labor, in addition to the duties now provided by law, shall have charge of all matters concerning the naturalization of aliens. That it shall be the duty of the said Bureau to provide, for use at the various immigration stations throughout the United States, books of record, wherein the commissioners of immigration shall cause a registry to be made in the case of each alien arriving in the United States from and after the passage of this Act of the name, age, occupation, personal description (including height, complexion, color of hair and eyes), the place of birth, the last residence, the intended place of residence in the United States, and the date of arrival of said alien, and, if entered through a port, the name of the vessel in which he comes. And it shall be the duty of said commissioners of immigration

Bureau of Immigration: Title changed to Bureau of Immigration and Naturalization.

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to cause to be granted to such alien a certificate of such registry, with the particulars thereof.[a]

* * * * *

Approved, June 29, 1906 (34 Stat., part 1, p. 596).

ACT OF MARCH 2, 1907.

AN ACT in reference to the expatriation of citizens and their protection abroad.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of State shall be authorized, in his discretion, to issue passports to persons not citizens of the United States as follows: Where any person has made a declaration of intention to become such a citizen as provided by law and has resided in the United States for three years a passport may be issued to him entitling him to the protection of the Government in any foreign country: *Provided,* That such passport shall not be valid for more than six months and shall not be renewed, and that such passport shall not entitle the holder to the protection of this Government in the country of which he was a citizen prior to making such declaration of intention.

Passports:

When issued to persons not citizens;

Not valid in country of alien's former domicile.

Expatriation:

How effected;

SEC. 2. That any American citizen shall be deemed to have expatriated himself when he has been naturalized in any foreign state in conformity with its laws, or when he has taken an oath of allegiance to any foreign state.

When any naturalized citizen shall have resided for two years in the foreign state from which he came, or for five years in any other foreign state it shall be presumed that he has ceased to be an American citizen, and the place of his general abode shall be deemed his place of residence during said years: *Provided, however,* That such presumption may be overcome on the presentation of satisfactory evidence to a diplomatic or consular officer of the United States, under such rules and regulations as the Department of State may prescribe: *And provided also,* That no American citizen shall be allowed to expatriate himself when this country is at war.[b]

How presumption overcome.

Marriage:

How affects status of woman marrying foreigner;

SEC. 3. That any American woman who marries a foreigner shall take the nationality of her husband. At the termination of the marital relation she may resume her American citizenship, if abroad, by registering as an American citizen within one year with a consul of the United States, or by returning to reside in the United States, or, if residing in the United States at the termination of the marital relation, by continuing to reside therein.

[a] For naturalization laws and regulations drawn thereunder, see pamphlet entitled "Naturalization Laws and Regulations."

[b] This paragraph does not affect the case of a naturalized citizen applying for readmission. (Op. Atty-Gen., Dec. 1, 1910, published in Department Decisions No. 119).

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Marriage: Of foreign woman marrying American.

SEC. 4. That any foreign woman who acquires American citizenship by marriage to an American shall be assumed to retain the same after the termination of the marital relation if she continues to reside in the United States, unless she makes formal renunciation thereof before a court having jurisdiction to naturalize aliens, or if she resides abroad she may retain her citizenship by registering as such before a United States consul within one year after the termination of such marital relation.

Minor children: Born outside United States, how citizenship resumed, and when takes effect;

SEC. 5. That a child born without the United States of alien parents shall be deemed a citizen of the United States by virtue of the naturalization of or resumption of American citizenship by the parent: *Provided*, That such naturalization or resumption takes place during the minority of such child: *And provided further*, That the citizenship of such minor child shall begin at the time such minor child begins to reside permanently in the United States.

Foreign born citizens under sec. 1993, R. S.: Assumption of citizenship by.

SEC. 6. That all children born outside the limits of the United States who are citizens thereof in accordance with the provisions of section nineteen hundred and ninety-three of the Revised Statutes of the United States[a] and who continue to reside outside the United States shall, in order to receive the protection of this Government, be required upon reaching the age of eighteen years to record at an American consulate their intention to become residents and remain citizens of the United States and shall be further required to take the oath of allegiance to the United States upon attaining their majority.

Evidence: To be filed with State Department.

SEC. 7. That duplicates of any evidence, registration, or other acts required by this Act shall be filed with the Department of State for record.

Approved March 2, 1907 (34 Stat., 1228).

ACT OF MARCH 26, 1910.

AN ACT to amend an Act entitled "An Act to regulate the immigration of aliens into the United States," approved February twentieth, nineteen hundred and seven.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section two of the Act entitled "An Act to regulate the immigration of aliens into the United

[a] Sec. 1993, Revised Statutes, reads as follows: "All children heretofore born or hereafter born out of the limits and jurisdiction of the United States, whose fathers were or may be at the time of their birth citizens thereof, are declared to be citizens of the United States; but the rights of citizenship shall not descend to children whose fathers never resided in the United States."

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States," approved February twentieth, nineteen hundred and seven, is hereby amended so as to read as follows:

"SEC. 2. That the following classes of aliens shall be excluded from admission into the United States: All idiots, imbeciles, feeble-minded persons, epileptics, insane persons, and persons who have been insane within five years previous; persons who have had two or more attacks of insanity at any time previously; paupers; persons likely to become a public charge; professional beggars; persons afflicted with tuberculosis or with a loathsome or dangerous contagious disease; persons not comprehended within any of the foregoing excluded classes who are found to be and are certified by the examining surgeon as being mentally or physically defective, such mental or physical defect being of a nature which may affect the ability of such alien to earn a living; persons who have been convicted of or admit having committed a felony or other crime or misdemeanor involving moral turpitude; polygamists, or persons who admit their belief in the practice of polygamy; anarchists, or persons who believe in or advocate the overthrow by force or violence of the Government of the United States, or of all government, or of all forms of law, or the assassination of public officials; prostitutes, or women or girls coming into the United States for the purpose of prostitution or for any other immoral purpose; *persons who are supported by or receive in whole or in part the proceeds of prostitution;* persons who procure or attempt to bring in prostitutes or women or girls for the purpose of prostitution or for any other immoral purpose; persons hereinafter called contract laborers who have been induced or solicited to migrate to this country by offers or promises of employment or in consequence of agreements, oral, written or printed, expressed or implied, to perform labor in this country of any kind, skilled or unskilled; those who have been, within one year from the date of application for admission to the United States, deported as having been induced or solicited to migrate as above described; any person whose ticket or passage is paid for with the money of another, or who is assisted by others to come, unless it is affirmatively and satisfactorily shown that such person does not belong to one of the foregoing excluded classes and that said ticket or passage was not paid for by any corporation, association, society, municipality, or foreign government, either directly or indirectly; all children under sixteen years of age unaccompanied by one or both of their parents, at the discretion of the Secretary of Commerce and Labor or under such regulations as he may from time to time prescribe: *Provided,* That nothing in this Act shall exclude, if otherwise admissible, persons convicted of an offense purely political, not involving moral turpitude: *Provided further,* That the provisions of this section re-

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lating to the payments for tickets or passage by any corporation, association, society, municipality, or foreign government shall not apply to the tickets or passage of aliens in immediate and continuous transit through the United States to foreign contiguous territory: *And provided further*, That skilled labor may be imported if labor of like kind unemployed can not be found in this country: *And provided further*, That the provisions of this law applicable to contract labor shall not be held to exclude professional actors, artists, lecturers, singers, ministers of any religious denomination, professors for colleges or seminaries, persons belonging to any recognized learned profession, or persons employed strictly as personal or domestic servants."

SEC. 2. That section three of an Act entitled "An Act to regulate the immigration of aliens into the United States," approved February twentieth, nineteen hundred and seven, is hereby amended so as to read as follows:

"SEC. 3. That the importation into the United States of any alien for the purpose of prostitution or for any other immoral purpose is hereby forbidden; and whoever shall, directly or indirectly, import, or attempt to import, into the United States, any alien for the purpose of prostitution or for any other immoral purpose, or whoever shall hold or attempt to hold any alien for any such purpose in pursuance of such illegal importation, or whoever shall keep, maintain, control, support, employ, or harbor in any house or other place, for the purpose of prostitution or for any other immoral purpose, in pursuance of such illegal importation, any alien, shall, in every such case be deemed guilty of a felony, and on conviction thereof be imprisoned not more than ten years and pay a fine of not more than five thousand dollars. Jurisdiction for the trial and punishment of the felonies hereinbefore set forth shall be in any district to or into which said alien is brought in pursuance of said importation by the person or persons accused, or in any district in which a violation of any of the foregoing provisions of this section occur. Any alien who shall be found an inmate of or connected with the management of a house of prostitution or practicing prostitution after such alien shall have entered the United States, or who shall receive, share in, or derive benefit from any part of the earnings of any prostitute; or who is employed by, in, or in connection with any house of prostitution or music or dance hall or other place of amusement or resort habitually frequented by prostitutes, or where prostitutes gather, or who in any way assists, protects, or promises to protect from arrest any prostitute, shall be deemed to be unlawfully within the United States and shall be deported in the manner provided by sections twenty and twenty-one of this Act. That any alien who shall, after he has been debarred or deported

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in pursuance of the provisions of this section, attempt thereafter to return to or to enter the United States shall be deemed guilty of a misdemeanor, and shall be imprisoned for not more than two years. Any alien who shall be convicted under any of the provisions of this section shall, at the expiration of his sentence, be taken into custody and returned to the country whence he came, or of which he is a subject or a citizen, in the manner provided in sections twenty and twenty-one of this Act. In all prosecutions under this section the testimony of a husband or wife shall be admissible and competent evidence against a wife or husband."

Approved March 26, 1910 (36 Stat., 263).

ACT OF JUNE 25, 1910.

AN ACT to further regulate interstate and foreign commerce by prohibiting the transportation therein for immoral purposes of women and girls, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the term "interstate commerce," as used in this Act, shall include transportation from any State or Territory or the District of Columbia to any other State or Territory or the District of Columbia, and the term "foreign commerce," as used in this Act, shall include transportation from any State or Territory or the District of Columbia to any foreign country and from any foreign country to any State or Territory or the District of Columbia.

SEC. 2. That any person who shall knowingly transport or cause to be transported, or aid or assist in obtaining transportation for, or in transporting, in interstate or foreign commerce, or in any Territory or in the District of Columbia, any woman or girl for the purpose of prostitution or debauchery, or for any other immoral purpose, or with the intent and purpose to induce, entice, or compel such woman or girl to become a prostitute or to give herself up to debauchery, or to engage in any other immoral practice; or who shall knowingly procure or obtain, or cause to be procured or obtained, or aid or assist in procuring or obtaining, any ticket or tickets, or any form of transportation or evidence of the right thereto, to be used by any woman or girl in interstate or foreign commerce, or in any Territory or the District of Columbia, in going to any place for the purpose of prostitution or debauchery, or for any other immoral purpose, or with the intent or purpose on the part of such person to induce, entice, or compel her to give herself up to the practice of prostitution, or to give herself up to debauchery, or any other immoral practice, whereby any such woman or girl shall be transported in interstate or foreign commerce, or in

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any Territory or the District of Columbia, shall be deemed guilty of a felony, and upon conviction thereof shall be punished by a fine not exceeding five thousand dollars, or by imprisonment of not more than five years, or by both such fine and imprisonment, in the discretion of the court.

SEC. 3. That any person who shall knowingly persuade, induce, entice, or coerce, or cause to be persuaded, induced, enticed, or coerced, or aid or assist in persuading, inducing, enticing, or coercing any woman or girl to go from one place to another in interstate or foreign commerce, or in any Territory or the District of Columbia, for the purpose of prostitution or debauchery, or for any other immoral purpose, or with the intent and purpose on the part of such person that such woman or girl shall engage in the practice of prostitution or debauchery, or any other immoral practice, whether with or without her consent, and who shall thereby knowingly cause or aid or assist in causing such woman or girl to go and to be carried or transported as a passenger upon the line or route of any common carrier or carriers in interstate or foreign commerce, or any Territory or the District of Columbia, shall be deemed guilty of a felony and on conviction thereof shall be punished by a fine of not more than five thousand dollars, or by imprisonment for a term not exceeding five years, or by both such fine and imprisonment, in the discretion of the court.

SEC. 4. That any person who shall knowingly persuade, induce, entice, or coerce any woman or girl under the age of eighteen years from any State or Territory or the District of Columbia to any other State or Territory or the District of Columbia, with the purpose and intent to induce or coerce her, or that she shall be induced or coerced to engage in prostitution or debauchery, or any other immoral practice, and shall in furtherance of such purpose knowingly induce or cause her to go and to be carried or transported as a passenger in interstate commerce upon the line or route of any common carrier or carriers, shall be deemed guilty of a felony, and on conviction thereof shall be punished by a fine of not more than ten thousand dollars, or by imprisonment for a term not exceeding ten years, or by both such fine and imprisonment, in the discretion of the court.

SEC. 5. That any violation of any of the above sections two, three, and four shall be prosecuted in any court having jurisdiction of crimes within the district in which said violation was committed, or from, through, or into which any such woman or girl may have been carried or transported as a passenger in interstate or foreign commerce, or in any Territory or the District of Columbia, contrary to the provisions of any of said sections.

SEC. 6. That for the purpose of regulating and preventing the transportation in foreign commerce of alien

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women and girls for purposes of prostitution and debauchery, and in pursuance of and for the purpose of carrying out the terms of the agreement or project of arrangement for the suppression of the white-slave traffic, adopted July twenty-fifth, nineteen hundred and two, for submission to their respective governments by the delegates of various powers represented at the Paris conference and confirmed by a formal agreement signed at Paris on May eighteenth, nineteen hundred and four, and adhered to by the United States on June sixth, nineteen hundred and eight, as shown by the proclamation of the President of the United States, dated June fifteenth, nineteen hundred and eight, the Commissioner-General of Immigration is hereby designated as the authority of the United States to receive and centralize information concerning the procuration of alien women and girls with a view to their debauchery, and to exercise supervision over such alien women and girls, receive their declarations, establish their identity, and ascertain from them who induced them to leave their native countries, respectively; and it shall be the duty of said Commissioner-General of Immigration to receive and keep on file in his office the statements and declarations which may be made by such alien women and girls, and those which are hereinafter required pertaining to such alien women and girls engaged in prostitution or debauchery in this country, and to furnish receipts for such statements and declarations provided for in this Act to the persons, respectively, making and filing them.

Every person who shall keep, maintain, control, support, or harbor in any house or place for the purpose of prostitution, or for any other immoral purpose, any alien woman or girl within three years after she shall have entered the United States from any country, party to the said arrangement for the suppression of the white-slave traffic, shall file with the Commissioner-General of Immigration a statement in writing setting forth the name of such alien woman or girl, the place at which she is kept, and all facts as to the date of her entry into the United States, the port through which she entered, her age, nationality, and parentage, and concerning her procuration to come to this country within the knowledge of such person, and any person who shall fail within thirty days after such person shall commence to keep, maintain, control, support, or harbor in any house or place for the purpose of prostitution, or for any other immoral purpose, any alien woman or girl within three years after she shall have entered the United States from any of the countries, party to the said arrangement for the suppression of the white-slave traffic, to file such statement concerning such alien woman or girl with the Commissioner-General of Immigration, or who shall knowingly and willfully state falsely or fail to disclose in such statement any fact within his knowledge or belief

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with reference to the age, nationality, or parentage of any such alien woman or girl, or concerning her procuration to come to this country, shall be deemed guilty of a misdemeanor, and on conviction shall be punished by a fine of not more than two thousand dollars, or by imprisonment for a term not exceeding two years, or by both such fine and imprisonment, in the discretion of the court.

In any prosecution brought under this section, if it appear that any such statement required is not on file in the office of the Commissioner-General of Immigration, the person whose duty it shall be to file such statement shall be presumed to have failed to file said statement, as herein required, unless such person or persons shall prove otherwise. No person shall be excused from furnishing the statement, as required by this section, on the ground or for the reason that the statement so required by him, or the information therein contained, might tend to criminate him or subject him to a penalty or forfeiture, but no person shall be prosecuted or subjected to any penalty or forfeiture under any law of the United States for or on account of any transaction, matter, or thing, concerning which he may truthfully report in such statement, as required by the provisions of this section.

SEC. 7. That the term "Territory," as used in this Act, shall include the district of Alaska, the insular possessions of the United States, and the Canal Zone. The word "person," as used in this Act, shall be construed to import both the plural and the singular, as the case demands, and shall include corporations, companies, societies, and associations. When construing and enforcing the provisions of this Act, the act, omission, or failure of any officer, agent, or other person, acting for or employed by any other person or by any corporation, company, society, or association within the scope of his employment or office, shall in every case be also deemed to be the act, omission, or failure of such other person, or of such company, corporation, society, or association, as well as that of the person himself.

SEC. 8. That this Act shall be known and referred to as the "White-slave traffic Act."

Approved June 25, 1910 (36 Stat., 825).

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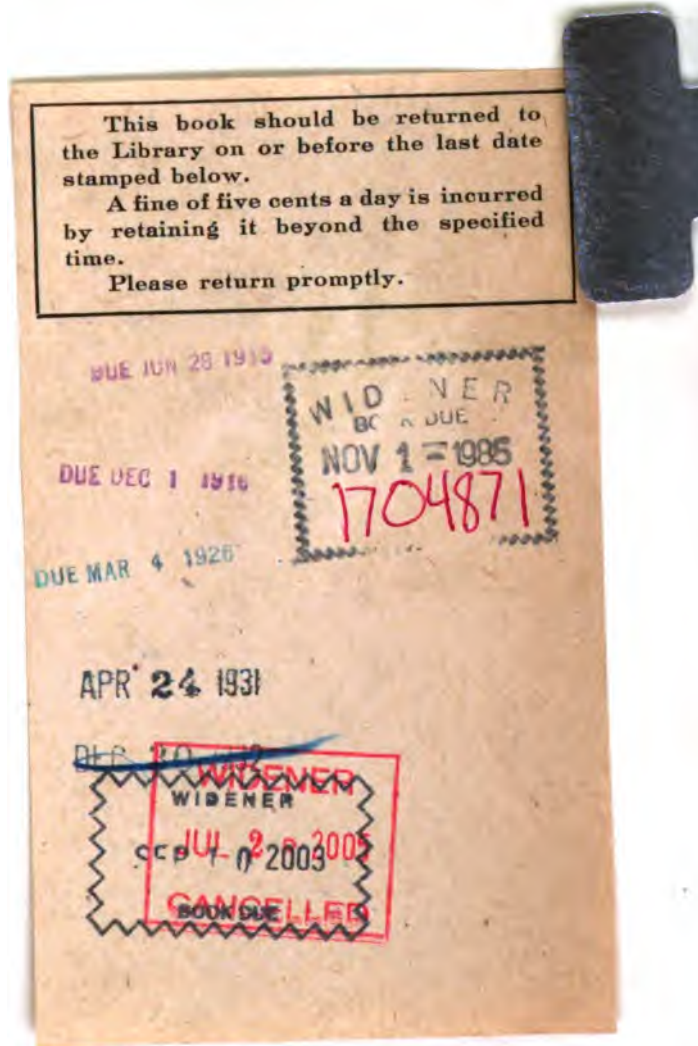
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